

HOUSE OF REPRESENTATIVES—Thursday, July 9, 1992

The House met at 10 a.m.

The Reverend Kirk Monroe, Mount Zion United Methodist Church, Washington, DC, offered the following prayer:

Good morning, God.

O Eternal Father strong to save, we love You. And once again this morning we resume our daily ritual of asking for Your omnipotence, mercy, and righteousness to circle us. We hope that if it is Your will we would be so inspired to go about our business today as servants of the people of America. Bless our Nation and help us to work together and to get along with each other. Bless those who are now working to repair our cities but whether city or suburb, valley, plain, or mountain bless America's children.

When we are confused and sorrowed by circumstances beyond our reach, let us be mindful that when we lift up our dilemmas unto You, You reach down with solutions unto us.

Help us to walk the hallways of peace, as we stride them may our canter be one of integrity and our gait one of justice. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from West Virginia [Mr. WISE] come forward and lead the House in the Pledge of Allegiance?

Mr. WISE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

A SUMMIT CONFERENCE FOR AMERICA

(Mr. WISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WISE. Mr. Speaker, the President is returning from the G-7 Conference, attended by President Yeltsin of Russia, and while the President is returning from the G-7 Conference I would like to suggest that he convene a US-50 conference, the 50 States, Mr.

Speaker. Just as there has been a summit with President Yeltsin and there has been a summit with the G-7 leaders, so it is time to have a summit here at home on the same things they talked about abroad.

In Munich they talked about investment. I would like to talk about investment here at home, investment in our public transportation, investment in our schools, the public investment that has fallen so far behind in our country.

Did the President realize as he talked to the G-7 leaders that every one of those nations has some kind of national health care plan? Perhaps he could have asked advice for here at home. When they talked about jobs and unemployment in all the other countries, did he say that the unemployment had gone up in this country?

The fact of the matter is, Mr. Speaker, until the President holds those kinds of summit meetings at home with our leaders, then we are not going to be able to promise much at summit meetings abroad.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair announces he will limit to 10 Members on each side the number of 1-minute requests.

TRUST FUND SAVINGS CAN CREATE JOBS, BUILD ASSETS FOR AMERICA

(Mr. SHUSTER asked and was given permission to address the House for 1 minute.)

Mr. SHUSTER. Mr. Speaker, today we have the opportunity to keep faith with the American people by fulfilling a commitment we made last year when we overwhelmingly passed the transportation bill. We can keep faith and begin to rebuild America, America's infrastructure, by supporting the bipartisan Obey-Gephardt-Roe-Hammerschmidt-Mineta-Shuster amendment which will be on the floor today, which reduces foreign operations spending and applies that money instead to transportation, to create 125,000 real jobs.

Many of the Members have come to us and asked for our help in projects and efforts that were important to them in their districts. Today, we are asking them, and especially to my conservative colleagues, I say do not be a knee-jerk naysayer. Listen to the logic of our argument. We hope they will read the "Dear Colleague" letter which

we sent out which indicates that this is trust fund money. The money is there. It should be spent to create real jobs to build assets for America.

We urge the Members to carefully consider this and do what is right for America.

THE COMPASS SHOULD POINT HOME TO AMERICA

(Mr. FROST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, once again George Bush has demonstrated where his heart is and it is not here in the United States.

President Bush has spent the past few days playing world leader while our pressing domestic needs continue to be neglected. He is busy at work dealing with the economic problems of our allies and of our new friend Russia but he has no program to put Americans back to work.

And equally distressing, this administration may be on the edge of getting the United States involved in a civil war in what used to be Yugoslavia.

This administration has broken its political compass. The Bush administration's compass needle keeps pointing east and west when it should be pointing home.

Mr. Speaker, it is time to park Air Force One and pay attention to the unemployment rate in the United States. It is time for this President to come home and stay home. The American people need a President who cares about America.

IT'S ELEMENTARY, WATSON

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, the Sherlock Holmeses of the Committee on the Judiciary are going to demand a special prosecutor, costing our American taxpayers millions to dredge up the ancient history of the Iraq policy. Seven committees in Congress, three U.S. attorneys, and the entire Justice Department have spent untold tax dollars and countless hours of staff probing and have come up empty-handed; nothing, cipher, zero, zip.

"Well, Sherlock, why are they doing this?"

"Elementary, my dear Watson. Trying to smear Ronald Reagan for

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Irrigate fell through, and the election is less than 4 months away. We Democrats have to find an issue somewhere."

"But Dr. Holmes, didn't the Congress know about the Iraq policy?"

"Hush, Watson, the election is coming."

"My dear Watson, that is the great mystery."

GOVERNOR CLINTON'S VISIONARY ECONOMIC STRATEGY FOR AMERICA

(Mr. PRICE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE. Mr. Speaker, Bill Clinton has made a serious and substantial contribution to this year's political debate with his proposal of an economic plan that would massively reduce the Federal deficit by cutting nonessential spending, paring the Federal bureaucracy, closing corporate tax loopholes, making the wealthy pay their fair share of taxes, and implementing rigorous health care cost control. At the same time, it would make carefully targeted national investments in jobs, education, and improved health care.

This is a well-conceived and persuasive blueprint for our economic future, and Bill Clinton is the only candidate for President who has put such a plan on the table. From the other candidates we get the same old smoke-and-mirrors and evasion.

On television last Sunday Richard Darman, the President's Budget Director, had the gall to criticize Governor Clinton for relying on "favorable growth projections." We get this from the fellow who has made an art form of blue-sky growth projections over the past 4 years.

Mr. Darman also suggested that the President had a comparable plan that had been "subject to serious scrutiny"—presumably in Congress—"for over a year." I would like to know where this plan has been hiding. Is Mr. Darman talking about the President's 1993 budget, which was a mere \$352 billion in deficit and which drew a grand total of 42 Republican votes on the House floor? And where is the President's plan for investment here at home? If the President's plan is so convincing, why is it we read in this morning's paper that Mr. Darman has ordered a rewrite of the midsession review of the budget as part of the administration's "election year effort to blame the Congress for the economy?"

Mr. President, such rhetorical obfuscation cannot hide the fact that this administration has nothing remotely comparable to Governor Clinton's economic strategy. The American people understand that. That is why they are responding so favorably to this visionary plan to get our Nation's priorities in order.

ANOTHER ONEROUS FEDERAL REGULATION BURDENING SMALL BUSINESS

(Mr. RAMSTAD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAMSTAD. Mr. Speaker, I rise today as part of the regulatory relay of the gentleman from Texas [Mr. DELAY] to call attention to a particularly onerous Federal regulation that is affecting a constituent small business.

The Fritz Co. is a third-generation small business that has been in existence in Minnesota for over 50 years. Recently they received a letter from the FDA threatening to seize their candy. What is the crime? Fritz calls its candy Fritzie Fresh. It has been their brand name for over 50 years. The name has been trademarked and received a U.S. patent registration, but the FDA decided that "fresh" was misleading the public. The candy was simply not sufficiently fresh for the FDA's taste.

Mr. Speaker, there has not been a single consumer complaint to Fritz or to the FDA about the use of the word "fresh," and removing this brand name from this small business would simply kill the business.

Certainly the original intent of the law to prevent fraudulent labeling is correct, but interpreting the statute in this ludicrous way is a clear departure from this intent. It is another example of the bureaucracy run amok, an unaccountable bureaucracy which could destroy this small business and the many jobs that go with it.

It is no wonder the American people are turned off by government which seeks to impose its will through such capricious and ridiculous rules.

□ 1010

BRIBES FOR WAR

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. It is bad enough, Mr. Speaker, that America exports jobs, but now it appears that America exports war. That is right, war.

According to recent indictments, the U.S. Ambassador to Bahrain and William Kennedy, former owner of the Conservative Digest, got 8 million dollars' worth of bribes in cash to promote American involvement in the war.

Then comes Hill & Knowlton, powerful public relations firm that gets \$12 million from Kuwait to promote the war.

Mr. Speaker, let us get out of Disney World. Are we trying to make the American people believe that the CIA does not know what is going on around here? I think there should be a thorough investigation.

It is bad enough when American soldiers have to die to protect liberty, but die for money and bribes? Congress should find out if this was naked aggression or stone-cold cash bribes that put America at war.

LEGISLATION TO DISCONTINUE PAYMENTS TO FORMER SPEAKERS

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute.)

Mr. THOMAS of Wyoming. Mr. Speaker, Speakers, as well as Members of Congress, earn a good salary while they are working here. You can easily question the results, but we work hard for it, through long days, heavy schedules, and busy weekends. But there is no reason the taxpayers should continue to pay for administrative benefits to those who no longer serve the people of their State. Unfortunately, the taxpayers are continuing to foot the bill for expenses for former Speakers of the House—and that is wrong.

In 1970, the House gave the retiring Speaker an account to finance office space, mailing privileges, and staff salaries to conclude his official duties. This is in addition to regular retirement benefits. Well, these official duties have gone on for 20 years and that is too long.

I am the cosponsor of a bill that will stop payments to former Speakers after 3 years. This is an effort to halt an annual bill of over \$500,000 to maintain staffs and offices for former Speakers. While some expenses after leaving the House may be legitimate, I am sure most would agree that Speakers should not be able to collect indefinitely.

Once again, though, the leadership is depriving Americans of having a say in how their taxes are spent by not even allowing the full House to vote on this issue. I call on the leadership to be fair—let the representatives of the people vote.

THE VICE PRESIDENT'S COUNCIL ON COMPETITIVENESS DOES NOT LISTEN TO THE PEOPLE

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, last week along with a very large majority of the House I voted against the Vice President's Council on Competitiveness. The Council may have begun with a benign and useful purpose of having the regulations of this Nation evaluated for their burden on business, but it became very quickly a means and a mechanism for very heavy financial hitters, big donors, to have entree to rulemakers and to get their ears.

I represent a community in southwest Jefferson County, Mr. Speaker,

which would love to have the same opportunity to bend the ears of the regulation makers, particularly in the environmental field, about the processes by which hazardous waste is burned for heat in the cement making process. I would be willing to believe, Mr. Speaker, that my people would make a very compelling case that such burning should not be permitted in their area.

However, these are very modest people, blue collar people. They will never be invited to the White House, certainly never to the Council on Competitiveness.

Mr. Speaker, if the American people are ever going to have a revived interest in the body politic, they have to be convinced that all rules and all regulations are made with the interests of the public broadly at heart, and not of a few heavy hitters.

HONORING RETIRING CAPITOL POLICE OFFICER, SGT. LEROY GARFIELD TAYLOR

(Mr. ALLEN asked and was given permission to address the House for 1 minute.)

Mr. ALLEN. Mr. Speaker, I rise to pay tribute to one of our own Capitol Police officers, Sgt. Leroy Garfield Taylor, who will soon enter his retirement after 43 years of faithful, dedicated service to the Navy and the U.S. Congress.

Born in 1928, Sergeant Taylor enlisted in the U.S. Navy at the age of 17, where he served honorably for over 20 years, attaining the rank of chief bosun's mate. Sergeant Taylor met and married his wife Yolanda, affectionately known as Paddy, 24 years ago. They lived in her native Ireland for a short period, then returned to the United States where he joined the Capitol Police in 1970. Spending his entire career at the Capitol Building, Sergeant Taylor became increasingly indispensable as his knowledge of the building and the workings of Congress grew. Always ready to serve, Sergeant Taylor's extensive knowledge and experience made getting around in this building much easier, whether one was a Member of Congress, staff member, or visitor to the Capitol.

Now, after 22 years of service as a Capitol Police officer, with a total of 43 years of Government service, Sergeant Taylor will retire. We all wish him the best and I know that his presence will be greatly missed. Congratulations on a job well done, Sergeant Taylor.

CONGRATULATING TURKEY ON EXTENSION OF OPERATION PROVIDE COMFORT

(Mr. BILBRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILBRAY. Mr. Speaker, this morning, I would like to take the opportunity to congratulate the people of Turkey and in particular their parliament under the leadership of Prime Minister Suleyman Demirel for their courageous vote to extend Operation Provide Comfort. By a vote of 228 to 136, coalition forces will be allowed to continue their overflights and provide safety and security for the hundreds of thousands of Kurdish refugees that remain in northern Iraq.

This vote continues to show Turkey's desire to be a partner with the United States and to join forces with us to bring democracy and stability to the region. Their acknowledgement of the Kurdish situation and their efforts to alleviate and resolve the problem have clearly placed them as a leader of a democratic and peaceful Middle East.

Again, my thanks and those of all the Members of this Congress who have joined me in supporting the Kurdish people go to the people of Turkey. I look forward to the continued partnership between our two countries and to Turkey's assistance as we strive to find a peaceful and democratic solution for the future of the Kurds.

AGRICULTURE DEPARTMENT THROWS QUITE A PARTY

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, many of us are very concerned about the spending habits of this institution, and in order to focus on this each week I give on a radio program I do a porker-of-the-week award, and I would like to share these with my colleagues from time to time.

This week I could not resist the opportunity of giving the award to the Agriculture Department for a party they threw for their employees last month. The party that they claim was needed to boost employee morale cost the taxpayers a whopping \$500,000. We paid over \$400,000 for transportation to and from Washington, \$8,000 for key chains, pens, lapel pins, tote bags, and mugs; \$24,000 for hotel costs and reception; \$8,000 for plaques; \$13,000 for badges, agendas, certificates, signs, and banners; and thousands more on miscellaneous expenses.

With the economy in a slump and the Nation's deficit on the rise, I find it hard to believe that the Agriculture Department would dump this kind of money into a party. I think employee morale is important, and that those who do an effective job should be commended. But throwing a big party at taxpayers' expense is not the way to do it.

The Agriculture Department gets my vote for the porker-of-the-week award.

THE MEANING OF LIFESTYLE

(Mr. ABERCROMBIE asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. ABERCROMBIE. Mr. Speaker, the newspapers have been quoting the President with respect to lifestyle and sexual orientation of individuals such that a requirement about the lifestyle of the President and the Vice President would be the way in which we should conduct ourselves; otherwise, our lives are not normal. A statement was made that he could not see that people could be parents if they were gay or lesbian.

Mr. Speaker, I regret that the President and the Vice President in all of their discussions of family values could not have attended the funeral of a young child in the District of Columbia recently, a child who was born into this world the victim of crack, the victim of addiction, afflicted with AIDS. No one would take this child, no one would love this child, no one would help to raise this child for the life that it had before it, and this child died before the age of 4, but brought great love and affection into this world, and was given love and affection by the foster care of a gay couple.

If you want to talk about family values, if you want to talk about being a Christian, if you want to talk about compassion in this country, do not require that lifestyle be the criterion upon which you judge another person. If you genuinely believe in family values, Mr. President, take a look at the people who are raising the children in illness, take a look at the children who need love and compassion and are being given it not by someone who has a particular lifestyle, but someone whose heart is filled with love.

□ 1020

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The PRESIDENT pro tempore (Mr. MCNULTY). Members are reminded to address their remarks to the Chair.

ACCEPT THE BLAME FOR THE UNEMPLOYMENT PROBLEM

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, for some time now the other side has talked about the unemployment problem as if this was unexpected. They do not understand that this was largely created by Congress.

This is the result of defense cuts, ask the people in California, and other budget cuts. We did it.

They call it the peace dividend. If we had invested this money in job creation, things would not be so bad, but we in Congress put money into things like the bureaucracy.

If you want to place the blame for unemployment problems, look in the

mirror. You tax, you spend, you regulate.

Accept the blame.

A TRIBUTE TO SENATOR GORE, DEMOCRATIC PARTY VICE PRESIDENTIAL NOMINEE

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, it is with great pleasure that we learn that a former colleague of ours, Senator AL GORE of Tennessee, will be the Vice Presidential nominee of the Democratic Party this fall.

Senator GORE brings to the ticket an extraordinary amount of experience and expertise—on the environment, on foreign policy, and on national security.

Senator GORE and I headed the Senate and House delegations to the recent Earth summit in Rio de Janeiro, and his role at the conference was enormously impressive.

He is an American leader who is known, respected, and listened to by the leaders of the world community. They have read his insightful book on the global environmental crisis. They listened carefully to his keynote speech to the parliamentary summit meeting. And they sought his advice on the issues of global warming, biodiversity, and forest protection.

I cannot help contrasting the warm reception given this American environmental leader with the aloof response to President Bush that same week.

In AL GORE, the world, and the American people, have a leader for the future; a thoughtful and serious legislator who understands the seriousness of the crises facing the future of our planet; a bold activist who is willing to propose dramatic changes whether on arms control or the environment, to protect our children and the world they will inhabit.

By selecting AL GORE, Governor Clinton has drawn a clear distinction between his ticket and the inactive, business-as-usual, indifferent administration of George Bush and DAN QUAYLE.

The American people will recognize that difference, and vote for the future in November by electing Bill Clinton and AL GORE.

WE CANNOT AFFORD TO BAIL OUT THE CIS

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, when we return after the Democratic Convention, we will be asked to vote on a package of Russian aid. We will have to borrow billions to finance this at a time when our own Nation is losing

over a billion dollars a day on top of a \$4 trillion national debt.

There are three things I would hope that we would consider in this regard: First, the head of the International Monetary Fund, the strongest supporter of this aid, estimates that the former Soviet states will require \$100 billion in additional aid over the next 4 years. We simply cannot afford this. Second, Russia and the other CIS states combined have greater natural resources than we do. Forbes magazine recently estimated Russian oil reserves as being equal to those of Saudi Arabia. Yet they cannot develop these resources because they still have a Government-run system rather than free enterprise. Third, the Russian national debt is just a small fraction of our own.

If we keep spending billion after billion after billion that we do not have, we are going to crash. I wonder who will send us foreign aid then. Will the Russians? I doubt it.

THE GILDERNEW ARREST

(Mr. FISH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FISH. Mr. Speaker, on April 16, 1992, my constituent, Mr. Francis Gildernew was arrested by FBI and INS agents. With guns drawn, they shackled him in Poughkeepsie, NY, and jailed him in New York City.

Why was he arrested?

The INS warrant charged him with fraud. Applying for a green card in 1984, he denied ever being convicted of a crime in his home country of Northern Ireland.

In 1976, Gildernew had been arrested by the British police, charged with planting a land mine and of being a member of the Irish Republican Army. He was convicted and imprisoned. The conviction was based on a confession extracted from him after brutal interrogation under torture. Under British law, Gildernew was a special status or political prisoner. He was released from prison in 1984.

Gildernew maintains his innocence. I believe him.

Why after 8 productive, law-abiding years in America, did the INS suddenly discover his so-called fraud, handcuff him and haul him away to a jail cell in New York City?

Gildernew believes his activities to win passage of the McBride principles made him a high profile target of the British Government.

The McBride principles would penalize United States firms doing business in Northern Ireland unless they adhere to certain nondiscriminatory practices toward the Catholic minority.

As the author of the McBride principles bill in the House of Representatives, I am sensitive to the British dislike for the idea. What concerns me is

the possibility that the failed and brutal British policies in Northern Ireland may have enjoyed as willing handmaidens our own Department of Justice, FBI, and INS. There must be no special relationship with Britain which blunts our sense of justice. After waiving in millions of illegal aliens under special legislation, we should cease harassing and attempting to deport a hardworking, respected businessman, like Francis Gildernew.

While my outrage at the handling of Francis Gildernew by our Government agents is new, my sense of the injustice of the British handling of the Catholic minority in Northern Ireland is not. My outrage is ever greater when the civil rights conflict which has tragically torn the social fabric of Northern Ireland bears its bitter fruit in my congressional district in upstate New York.

AL GORE, DEMOCRATIC VICE PRESIDENTIAL NOMINEE

(Mr. SCHEUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHEUER. Mr. Speaker, I rise in a sense of absolute delight and pride and joy at the announcement that AL GORE will be the Vice Presidential candidate of the Democratic Party.

I think this reflects enormous credit on Governor Clinton for having picked a running mate of such distinction.

I served with AL GORE at the Rio environmental conference along with the gentleman from California [Mr. MILLER], and I can attest to the respect and the credibility that AL GORE has engendered with experts in the environment, people who care about the Earth, this fragile planet we live on. He is highly respected, and he and I and the gentleman from California [Mr. MILLER] spend most of our time trying to explain the President's dismal performance in shooting down the biodiversity treaty.

The contrast between the great respect and affection with which AL GORE was held and the rage and resentment at the President's role was palpable.

Two years ago, long before any Presidential campaign, AL GORE was elected as chairman of Global Legislators' Organization for a Balanced Environment [GLOBE] composed of legislators from Europe, Japan, and the United States. He has served in that role for 2 years with great knowledge, great expertise, and great distinction.

He adds luster and dignity and credibility in the very important field of environment to the ticket, and I look forward with great pleasure to working with him and Governor Clinton.

INTRODUCTION OF EDUCATION SAVINGS PLAN LEGISLATION

(Mr. CHANDLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHANDLER. Mr. Speaker, I am introducing legislation today that will help and encourage thousands of young Americans to save money for college.

For the student who works after school in the grocery store, or during the summer on the farm, my bill makes the money they earn go farther.

My goal is to reward students who go the extra mile to earn money for college. It is not a handout, but a program that says to those students who work and save for college: "Your hard work will not go unnoticed."

Under my plan, working students could save up to \$2,000 tax free, and have those savings partially matched by the Federal Government, as long as the money is used for college expenses.

Mr. Speaker, with college expenses expected to rise rapidly in the coming decade, it is vital that we begin planning now for the higher education costs of our children.

My education savings plan provides a positive incentive for children to work and save money for college, and invest in their future.

I urge my colleagues to help families plan for the future by cosponsoring the education savings plan.

□ 1030

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McNULTY). According to an agreement with both sides of the aisle, the Chair will entertain up to four more 1-minute statements from each side of the aisle.

A SAD LOSS FOR THE AMERICAN AIRCRAFT INDUSTRY

(Mr. GLICKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GLICKMAN. Mr. Speaker, this morning's Wall Street Journal has a story that United Airlines has ordered as many as 100 Airbus jets valued at about \$3 billion in a blow to Boeing, United's long-time jet supplier.

The carrier, United, will lease the planes from a group of financial companies that will actually buy the aircraft.

The Wall Street Journal said that for Airbus, a French-European consortium, the deal is a major victory in the European consortium's campaign for recognition in the U.S. market.

Then this morning, the Wichita Eagle, the newspaper in my hometown, says that the Boeing Co. faces the loss of \$5.7 billion of its commercial air-

craft orders as the world's largest airline buyer seeks to withdraw from commitments for 129 Boeing planes.

The fact of the matter is that tens of thousands of jobs in America's dominant export industry, aviation, are threatened to be lost to Airbus and other companies perhaps because of preferential financing provided by those foreign governments that our Government cannot provide, jobs in Wichita, jobs in Seattle, jobs all over the country.

Mr. Speaker, it is time that our Government fight for the interests of American aircraft workers, and today I will be asking for the Special Trade Representative, Carla Hills, to do a formal review of the financing that Airbus has provided to United Airlines in this deal to see if it violates our trade laws.

NEW CHILD POVERTY STATISTICS

(Mrs. COLLINS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Speaker, this week new figures were released by the children's defense fund that are both disturbing and inexcusable. The figures indicate that while some people were prospering and living well during the last decade, the number of children who live in poverty actually rose in most States.

Now maybe I should consider myself and my constituents lucky because Illinois is not among the top 10 States with astronomical poverty rates. Maybe I should even consider my State fortunate because it ranks only 27th instead of 1st or 2d. But instead of feeling lucky, Mr. Speaker, I am angered.

I am angered that the number of kids living in destitute conditions increased not only in my State, but 32 others during the Reagan-Bush administration. Such statistics are a blemish—no, a cancer on the face of America.

While the White House is busy attacking social programs from past years, and repeating the same old nonsense about aiding the rich as a way to help the middle class and the needy in our country and keeping up with appointments and meetings around the globe, the children of America are sinking deeper and deeper into poverty. They are malnourished, without heat, without adequate medical care, without even the hope of a brighter future.

A BAD NOMINATION TO ELEVENTH CIRCUIT COURT OF APPEALS

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, * * * the Senate Judiciary Committee has recommended by a 10-to-4 vote the approval of the nomination of Ed-

ward Carnes to the 11th Circuit Court of Appeals.

The simple fact is that Edward Carnes is unfit to serve on the Federal bench. His executioner mentality and active support for racial discrimination with the Alabama criminal justice system and his failure to understand the concept of equal—

Mr. SENSENBRENNER. Mr. Speaker, I demand that the gentleman's words be taken down.

The SPEAKER pro tempore (Mr. McNULTY). The gentleman's reference to the Senate committee in a derogatory fashion is not permitted under the House rules, the Chair would advise the Member.

Mr. CONYERS. Mr. Speaker, if there is any impropriety—

PARLIAMENTARY INQUIRY

Mr. SENSENBRENNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. SENSENBRENNER. Mr. Speaker, has the Chair ordered the words objected to stricken from the RECORD?

The SPEAKER pro tempore. That is what the Chair would suggest to the gentleman.

Mr. SENSENBRENNER. Mr. Speaker, I demand that the gentleman's words be taken down.

□ 1035

The SPEAKER pro tempore (Mr. McNULTY). The Clerk will report the gentleman's words.

The Clerk read as follows:

In continuing its downhill slide, the Senate Judiciary Committee has recommended by a 10-to-4 vote approval of the nomination of Edward Carnes to the 11th Circuit Court of Appeals. The simple fact is that Edward Carnes is unfit to serve on the Federal bench. His executioner mentality and active support for racial discrimination with the Alabama criminal justice system, and his failure to understand the concept of equal * * *.

The SPEAKER pro tempore. According to Jefferson's Manual section 371, page 175, the Chair rules that critical references to the Senate or committees of the Senate are not permitted under the rules of the House.

Without objection, the Member's words will be stricken.

There was no objection.

The SPEAKER pro tempore. Without objection, the gentleman may proceed in order for his remaining time, for 15 seconds.

There was no objection.

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to revise and extend my 1-minute statement.

The SPEAKER pro tempore. Without objection.

There was no objection.

Mr. CONYERS. Mr. Speaker, I wish to personally apologize to the sensibilities of the gentleman from Wisconsin [Mr. SENSENBRENNER], who apparently

was offended by my reference to the Senate Judiciary Committee. But in Mr. Carnes's own testimony before the Senate Judiciary Committee Mr. Carnes admitted that as the chief of the capital litigation division of the Alabama Attorney General's office, he played the key role in an effort to protect a pattern and practice by Alabama prosecutors of using peremptory strikes to remove blacks from trial juries, in clear violation of the 1986 Supreme Court decision in *Batson versus Kentucky*.

Mr. Carnes is following the Clarence Thomas scenario. This administration will reward those young lawyers who demonstrate the most disregard for the rights of African-Americans, other racial minorities and women with elevation to the Federal bench.

It is no accident that Mr. Carnes' nomination comes up in the midst of the Presidential campaign. With the economy in shambles, this nomination is part of the President's new strategy to get the Southern white vote in the general election by once again, playing the crime and race card, as he did during the last general election with the Willie Horton campaign.

But Democrats are playing into the President's hands by bringing this nominee to the Senate floor for a vote. The Congressional Black Caucus and its friends plans to make this nomination a central issue at the Democratic Convention next week.

RUSSIAN JAILED FOR "SPECULATION" UNDER OLD SOVIET LAW

(Mr. SKAGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SKAGGS. Mr. Speaker, I welcome President Boris Yeltsin's visit to the United States last month, and commend him for his pledge to transform Russia into a country where individual rights, economic freedom, and the rule of law are honored and protected. President Yeltsin came here hoping to convince the administration, the Congress, and the American people that he is serious about reform and that, with our help, he can be successful.

I want to believe him; I believe we all want to believe him. But a case that has recently come to my attention makes me concerned about the future of economic reform in Russia.

In May, 19 of my colleagues joined me in writing to President Yeltsin about Mark Glizer, a Russian Jew, who had been incarcerated for 10 months in a Moscow jail for allegedly arranging the sale of a privately owned automobile for profit. I received word last week that Mr. Glizer has been sentenced to spend 5 years at hard labor for breaking an old Soviet law against capitalistic activities.

There are many aspects of this case and the Moscow court's decision that

concern me. Mark Glizer was sentenced under a Soviet law that supposedly has been taken off the books in Russia. The so-called crime of speculation was pushed through the U.S.S.R. Supreme Soviet in October 1990, by the eventual leaders of the unsuccessful coup. However, the law was invalidated by the Charter of the Commonwealth of Independent States, which purported to abolish all laws of the former Soviet Union. Further, the action by the Russian Federation Government to eliminate the crime of speculation from the Federation criminal code clearly indicates that the Government of Russia no longer considers such acts a crime.

If this antifree enterprise Soviet law does not exist anymore according to the Yeltsin government, then how can Russian citizens still be prosecuted for its violation? For Mark Glizer, 5 years confinement will be the price for introducing a friend interested in selling his car to a prospective buyer. That is not a crime, it is an activity that occurs on a daily basis in driveways and auto dealerships around the world. President Yeltsin has promised to encourage this kind of entrepreneurship in Russia.

Now, President Yeltsin has come to America to enlist support for a major aid package under consideration by Congress. One of the central selling points being made by the Bush administration and by Mr. Yeltsin himself is that this aid is necessary to safeguard economic reform in Russia. There is also much talk of the tremendous opportunities that liberalization will provide American investors. But how can United States companies or individuals feel confident about entering the Russian marketplace when their Russian partners may be jailed for engaging in normal business activities?

Today, many of my colleagues have joined me in sending President Yeltsin another letter, asking that he answer these concerns by releasing all economic prisoners, and by guaranteeing that Russian courts will respect the rights of all citizens under the law. Good intentions will not suffice; real reform requires real action. Economic assistance can provide seed money; but without the ground of freedom, neither democracy nor market economics can take root and flourish.

LIFE IMPRISONMENT FOR EGREGIOUS RECIDIVISTS ACT

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, studies show that 6 percent of all violent offenders actually commit 70 percent of all violent crimes. So I have introduced a bill that is intended to get to the root of violent crime in America. It is called the Life Imprisonment for Egre-

gious Recidivists Act. That is a fancy name, but the acronym is the LIFER Act, H.R. 5567.

My LIFER Act would impose a mandatory life sentence on anyone convicted of a Federal violent felony if that person has two previous violent felonies, Federal or State, on his record. The evidence is clear, these violent criminals are far gone enough to make violent crime a habit and, if so, they will keep preying on our families again and again throughout this country unless we stop them. Stop them we must. It is true our country optimistically puts great stock in rehabilitation of criminals, but even those with the highest hopes along those lines should recognize that three strikes means you're out. Three convictions, and it is *sayonara*. Let us make our streets safe again, pass H.R. 5567.

PERMISSION FOR OBSERVANCE OF DISTRICT OF COLUMBIA DAY ON WEDNESDAY, JULY 29, 1992, INSTEAD OF MONDAY, JULY 27, 1992

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that the District of Columbia Day be observed under clause 8, rule XXXIV, on Wednesday, July 29, of this year instead of Monday, July 27, 1992.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. BLILEY. Mr. Speaker, reserving the right to object, under my reservation I yield to the chairman of the Committee on the District of Columbia to explain his request.

Mr. DELLUMS. Mr. Speaker, I thank the gentleman from Virginia for yielding.

Mr. Speaker, I am sure the Members of the House are aware, the rules of the House permit that the second and fourth Mondays are designated as "District Days" on which our committee can bring local legislation to the floor of the House. However, we are making this request for District Day to be on Wednesday, July 29, because the House will not be in session on Monday, July 27, 1992, the fourth Monday of the month.

Mr. Speaker, at this time it would be my intention to call up four pieces of legislation on July 29. They are:

First, H.R. 2694, a bill to amend title 11, District of Columbia Code, to remove gender-specific references;

Second, H.R. 3581, a bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to eliminate congressional review of newly passed District laws, to provide the District of Columbia with autonomy over budgeting its locally raised revenues, and for other purposes;

Third, H.R. 5520, a bill to authorize to be appropriated a Federal payment to the District of Columbia of an additional \$30,798,600 for crime and youth

initiatives in the District of Columbia, which has already been included by the Appropriations Committee; and

Fourth, H.R. 5540, a bill to waive the congressional layover period for certain council acts authorizing the issuance of revenue bonds for nonprofit organizations.

Mr. BLILEY. Mr. Speaker, further reserving the right to object, let me say to my colleagues that not all of these bills that the chairman of the Committee on the District of Columbia intends to bring up are bipartisan and non-controversial. This will not be a District Day where the committee is unanimously in support of all the legislation brought up and where matters can be resolved with voice votes.

The minority strongly opposes H.R. 3581, which would completely do away with the congressional review of District acts before they become law, and remove the majority of the District budget from review and approval by the Congress. This bill contains issues of the utmost importance to this House and its constitutional responsibilities under the District clause of the Constitution and its obligation to 250 million Americans who all share citizenship in our Nation's capital.

Mr. Speaker, I intend to fully debate these issues, and I urge defeat of the legislation.

Further reserving the right to object, Mr. Speaker, just yesterday the House passed a fiscal year 1993 appropriations bill for the District of Columbia. That bill included a number of important amendments addressing congressional concerns over crime and certain taxes. It would be ironic if this House were to give up legislative authority that it found frequent need to exercise by passing H.R. 3581.

Mr. Speaker, I do not intend to object to this unanimous-consent request. In fact, I support the request because I look forward to a vigorous debate and serious consideration by this House.

Mr. DELLUMS. Mr. Speaker, will the gentleman yield briefly?

Mr. BLILEY. I yield to the gentleman from California.

Mr. DELLUMS. I thank the gentleman for yielding further to me.

Mr. Speaker, first I would concur; at least three of the four pieces of legislation are indeed noncontroversial and will be presented to my colleagues on the floor of the House in a bipartisan fashion.

With respect to the fourth piece of legislation, the bill that will be controversial, I simply say to my colleague that I appreciate working with him, and I look forward to a vigorous discussion and debate to allow the House to work its will on that piece of legislation. I thank my colleague.

Mr. BLILEY. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1050

EXPRESSING CONTINUED SUPPORT FOR THE TAIF AGREEMENT

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 129) expressing continued support for the Taif Agreement, which brought a negotiated end to the civil war in Lebanon, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore (Mr. McNULTY). Is there objection to the request of the gentleman from Indiana?

Mr. GILMAN. Reserving the right to object, Mr. Speaker, I do not intend to object, but under the reservation I yield to the gentleman from Indiana [Mr. HAMILTON], the distinguished chairman of our Subcommittee on Europe and the Middle East.

Mr. HAMILTON. Mr. Speaker, I rise in support of Senate Concurrent Resolution 129, a resolution expressing continued support for the Taif Agreement, which brought a negotiated end to the civil war in Lebanon, and for other purposes.

Senate Concurrent Resolution 129 is almost identical to House Concurrent Resolution 339, introduced in the House of Representatives by our colleague from Michigan, Mr. BONIOR, and cosponsored by the gentlewoman from Ohio [Ms. OAKAR], and the gentleman from West Virginia [Mr. RAHALL]. I appreciate their leadership in working to help Lebanon and ensure that issues involving Lebanon receives proper attention and consideration in the House.

Mr. Speaker, the Taif Agreement concluded in 1989 was an important document for Lebanon. It is not a perfect agreement in the eyes of many Lebanese, but it is a compromise and it provides the best hope for that country which has endured so much pain and conflict over the last two decades. The Taif Agreement provides the basis for promoting greater reconciliation, peace, and security in Lebanon.

This resolution supports the Taif Agreement and its full implementation. The resolution stresses three points. First the resolution highlights the importance of the withdrawal of Syrian troops by the end of September 1992, from most of Lebanon and the redeployment of those Syrian troops to the Biqa Valley as a prelude to complete withdrawal from Lebanon. Second, the resolution supports the development of alternative means to ensuring security in Beirut, including a UN presence or another multinational

force. Finally, the resolution urges the holding of free and fair elections in Lebanon, witnessed by international observers, and conducted after a Syrian withdrawal to the Biqa Valley.

I urge adoption of this resolution.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I am pleased to support Senate Concurrent Resolution 129, a resolution expressing continued support for the Taif Agreement, which brought a negotiated end to the 16-year civil war in Lebanon, and for other purposes.

Permit me to commend the distinguished chairman of our Europe and Middle East Subcommittee, the gentleman from Indiana [Mr. HAMILTON], as well as the distinguished majority whip, the gentleman from Michigan [Mr. BONIOR] for their efforts in providing expeditious consideration of this measure.

Mr. Speaker, as we all know, the Taif Accord brought a negotiated end to 16 years of civil war in Lebanon. The purpose of that historic agreement was to lead to full restoration of Lebanon's sovereignty, independence, and territorial integrity. Unfortunately, Syria continues to maintain undue influence upon the Government of Lebanon and maintains over 40,000 troops in that strife-ridden nation.

Under the Taif Agreement those troops must be redeployed to the gateway of the Bekaa Valley by September 1992. This is the only possible way to ensure free and fair elections in Lebanon.

This resolution calls upon Syria to live up to its responsibilities, as articulated in the Taif Agreement and urges the consideration of alternatives to ensuring Lebanese security, such as a United Nations, or other multinational means to guarantee an end to the violence that has plagued Lebanon for far too long. In addition, it calls for free and fair elections to be held in the presence of international observers.

Mr. Speaker, this is an appropriate, timely measure and accordingly, I urge its unanimous adoption.

Mr. BONIOR. Mr. Speaker, I am pleased to join my colleagues, LEE HAMILTON and BEN GILMAN, in bringing this resolution to the House floor. I'd like to thank the Foreign Affairs Committee for acting so expeditiously.

Lebanon is emerging from years of terrible civil war and foreign intervention. The world must stand together with the people of Lebanon as they struggle to rebuild their country and restore their sovereignty. The Taif Agreement, which ended the bloodshed, must now help Lebanon to full independence.

Under the Taif Agreement, Syria is scheduled to withdraw its armed forces to the Bekaa Valley in September. The resolution before us today calls upon Syria to honor the terms of the agreement.

This will allow truly free and fair elections to take place without outside interference. It is my sincere hope that soon, all foreign forces will be removed from Lebanon, and true sov-

ereignty will be achieved. I urge my colleagues to support passage of this resolution to express our support for a free and independent Lebanon.

Mr. BROOMFIELD. Mr. Speaker, I want to salute my colleagues on the Foreign Affairs Committee, Chairman FASCELL and Congressman HAMILTON, for expeditiously bringing this resolution to the floor. Also to be commended are Senators MITCHELL and DOLE for their work in crafting this important resolution.

Senate Concurrent Resolution 129 is an important resolution which supports the Taif Agreement and calls for further steps in bringing a lasting peace to Lebanon.

Since 1975, when civil war caused widespread destruction and paralyzed Lebanon, we have witnessed the terrible agony of the millions who were forced to flee. In recent years, progress has been made to stop the fighting, expand the authorities of the Government, and fulfill the promises of the Taif Agreement.

Before further progress can be achieved, however, major decisions have to be made by the Government of Syria if Damascus is truly committed to peace. Lebanon can never truly be sovereign if Syria continues to maintain 40,000 troops there. Free elections cannot be held in areas of foreign military control. In a sense, the ball is in Syria's court, and I hope that the Syrian military will withdraw their forces to the Bekaa Valley by September—in keeping with the Taif accords.

Resolving the longstanding Lebanon crisis will also contribute to the Middle East peace process and will clearly show that disputes can never be resolved through the barrel of a gun, but only through the process of negotiations.

I know that the Lebanese-American community has been saddened by the terrible devastation of their motherland. I share their deep concerns and hope that peace and stability can return to that long-suffering nation.

I urge my colleagues to join me in supporting this timely resolution.

Mr. RAHALL. Mr. Speaker, I rise in support of Senate Concurrent Resolution 129, as passed by the Senate. I appreciate my colleague, Representative LEE HAMILTON, for his seeking unanimous consent to bring this resolution up and to urge its adoption today. I am a cosponsor of the House companion resolution, House Concurrent Resolution 339, which was introduced by Representative DAVID BONIOR, and which is cosponsored by the gentleman from Indiana [Mr. HAMILTON], and others.

Mr. Speaker, the resolution calls for free and fair democratic elections in Lebanon.

On October 22, 1989, the Arab League brokered what is known as the Taif Agreement, ending Lebanon's 16-year civil war. The Taif Agreement is intended to lead to the full restoration of Lebanon's sovereignty, independence, and territorial integrity.

While Syria did assist in restoring peace in Lebanon, that country still continues to exert significant and perhaps inappropriate influence upon the Government of Lebanon. It does so in many ways, but none more effective than keeping an estimated 40,000 Syrian troops there—a presence not easy to ignore, and one that does not lead to a true sense of inde-

pendence, much less than Lebanon has been or soon will be recognized as a sovereign nation.

Under the Taif Agreement, Mr. Speaker, it was clearly understood that Syria would withdraw its troops to the gateway of Bekaa Valley by September 1992, and the success of any reforms under the agreement, and particularly the scheduling of timely, free, and democratic elections, depends solely upon that withdrawal.

It stands to reason that truly free and fair elections in Lebanon cannot take place in areas of foreign military control, such as that reflected by the presence of Syria's 40,000-strong troop deployment.

It has been broadcast about, in the print media and in other forums, that Syria remains in Lebanon, and expects to remain in Lebanon, until after elections are held, and that Syria's remaining in Lebanon until then has been decided based on a request from Lebanon's Government. This is not true, and should not be accepted by the United States Government, but seen for what it is—Syria's continued intent to remain in Lebanon for purposes of influencing the outcome of those elections—in direct contravention of the Taif Agreement.

After 16 years in which Lebanon was bowed down by civil strife, its economic circumstances deteriorated in the extreme. Those 16 years saw the Lebanon pound plunge to unprecedented levels against the dollar, yet it managed to honor its financial dues and obligations on loans from the United States and other international organizations.

Lebanon has no debts in arrears with the IMF or the World Bank with which it has had dealings since 1955. Lebanon has paid in full its foreign military sales loans to the United States. Lebanon has honored and continues to honor its housing loans from AID, and will have paid all installments in full by the year 2000.

Lebanon, Mr. Speaker, is not a beggar nation, but a proud one. Lebanon is not seeking extraordinary economic assistance from the United States, unlike some in the region.

With its history of honoring its debts to others while being shackled by the economic straitjacket brought about by a protracted civil strife, a situation greatly exacerbated since 1985 by economic sanctions imposed by our own Government and which remain in place today, and in doing so causing Lebanon's social and human suffering to continue—it is within all reasonable expectations for Lebanon to hope that the United States Government will call upon Syria to withdraw its presence there, as agreed to under the Taif Agreement, so that free and fair elections can be scheduled expeditiously.

Mr. Speaker, I call upon the Congress to express its continuing support for the Taif Agreement, signed in 1989, and to call for Syria's withdrawal of its troops to the gateway of the Bekaa Valley not later than September 1992 as required by that agreement.

I further call upon my colleagues to urge the Arab League to consider immediately the possible alternatives to ensuring security in Beirut following the Syrian departure, including the establishment of an Arab League presence in Beirut if necessary.

I call upon the Congress to urge the Government of Lebanon to hold elections only if they can be free and fair, conducted without outside interference and witnessed by international observers.

For Lebanon to attempt to reform its election processes and to hold those elections as agreed to under Taif, the Syrian presence must be removed. To do otherwise, or even seem to support a theory that first elections be held as a condition for Syria's withdrawal, is counterproductive in the extreme, and most assuredly there is little that would be free and fair about elections held under those circumstances.

I call upon Congress to urge Lebanon's Government to delay scheduling of its elections until Syria's withdrawal, even as difficult as it might be to take a position against elections there, because it has now become a question of timing and a question of control over those elections, which must be left in the hands of only Lebanon—not her occupiers.

Mr. Speaker, as we continue in our quest for peace in the Middle East, it is well to recognize that Lebanon has a huge stake in the outcome of the peace talks now going forward. So does Syria. Free and fair elections, duly held under the Taif Agreement, are widely viewed as one of the key steps in the overall peace process. Hopefully, the peace talks will produce a real peace and freedom in Lebanon as well.

As Americans, we recognize fully that truly free and democratic elections require freedom of speech and assembly, freedom of political expression and party affiliation, freedom for candidates to come forward without fear and campaign, and that they have unimpeded access to print and broadcast media, freedom of movement, and, above all, guarantees of their physical security.

It is understandable that the people of Lebanon would be more at ease and more assured of those guarantees if Syria withdraws in strict accordance with terms agreed to under the Taif.

Lebanon expects nothing more, and nothing less.

I strongly support the resolution calling for free and fair elections in Lebanon, and I urge its adoption.

Mr. GILMAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 129

Whereas Lebanon's sixteen-year civil war finally was ended by the Taif Agreement, brokered by the Arab League on October 22, 1989;

Whereas the Taif Agreement is intended to lead to full restoration of Lebanon's sovereignty, independence, and territorial integrity;

Whereas Syria continues to exert undue influence upon the government of Lebanon and maintains an estimated 40,000 Syrian armed forces in Lebanon;

Whereas truly free and fair elections in Lebanon will not be possible in areas of foreign military control;

Whereas under the Taif Agreement the Syrians must withdraw their armed forces to the gateway of the Bekaa Valley by September 1992; and

Whereas the success of the Taif Agreement depends upon timely Syrian withdrawal: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring)—

(1) expresses continuing support for the Taif Agreement, signed in 1989;

(2) calls upon Syria to withdraw its armed forces to the gateway of the Bekaa Valley in September 1992, as required under the Taif Agreement, and as a prelude to complete withdrawal from Lebanon;

(3) urges immediate consideration of possible alternatives to ensuring security in Beirut following the Syrian withdrawal, including the establishment of a United Nations or other multilateral presence in Beirut, if necessary; and

(4) urges the government of Lebanon to hold elections if they can be free and fair, conducted after the Syrian withdrawal and without outside interference, and witnessed by international observers.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent that all Members may have 7 legislative days to revise and extend their remarks on Senate Concurrent Resolution 129, the Senate concurrent resolution just concurred in.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 5518, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

Mr. GORDON Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 513 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 513

Resolved, That during consideration of the bill (H.R. 5518) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1993, and for other purposes, all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "Provided" on page 4, line 24, through page 5, line 2; beginning on page 63, line 20, through page 64, line 24; and beginning on page 67, line 4, through line 16. Where points of order are waived against only part of a paragraph, a point of order against matter in the balance of the paragraph may be applied only within the balance of the paragraph and not against the entire paragraph. Unless otherwise specified in the report of the Committee on Rules accompanying this resolution, debate on each amendment to title I or title II

of the bill, and any amendments thereto, shall be limited to twenty minutes. It shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution. Each amendment printed in the report may be offered only by the named proponent or a designee, shall be considered as read when offered, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report are waived. The amendments specified in the report to be offered by Representative Oberstar of Minnesota or his designee may be considered en bloc. The amendments specified in the report to be offered by Representative Obey of Wisconsin or his designee may be considered en bloc. The chairman of the Committee of the Whole may recognize for the consideration of the amendments printed in part 1 of the report at any time, but not sooner than one hour after the chairman of the Committee on Appropriations announces from the floor a request to the effect. The amendments printed in part 1 of the report shall be considered in the order printed. If both of the amendments numbered 1 and 2 in part 1 of the report are adopted, then only the second to be adopted shall be considered as finally adopted and reported to the House.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GORDON] is recognized for 1 hour.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. MCEWEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. GORDON. Mr. Speaker, House Resolution 513 waives all points of order against provisions of the bill for failure to comply with clauses 2 and 6 or rule XXI with three exceptions.

If a point of order is made against a partially protected paragraph, the point of order will apply only to that portion of the paragraph which is unprotected.

While this resolution does not limit amendments, debate on each amendment to title I and II of the bill, and each amendment to an amendment, is limited to 20 minutes.

All amendments printed in the report which accompanies this rule shall be considered as read and are debatable for the time specified in the report which is to be equally divided between the proponent and an opponent. The amendments printed in the report are not subject to amendment, and are not subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order are waived against the amendments printed in the report.

The amendments printed in the report which are to be offered by Representative OBERSTAR of Minnesota and Representative OBEY of Wisconsin or their designees shall be considered en

bloc. The Michel and Obey amendments are debatable for 60 minutes each.

The amendments in part 1 of the report—the Michel, Obey, and Tauzin amendments—will be considered in the order in which they are printed in the report, and will be considered no sooner than 1 hour after the floor manager announces the House his intention to consider such amendments.

Finally, if both of the amendments numbered 1 and 2 in part 1 of the report are adopted, then only the second to be adopted will be considered as adopted and reported to the House.

Mr. Speaker, the chairman and members of the Transportation Appropriations Subcommittee and their staff should be commended for bringing this comprehensive bill to the floor. In considering this bill, the subcommittee received testimony from hundreds of witnesses which is contained in over 8 published volumes totaling over 8,300 pages.

Each year Chairman LEHMAN and his subcommittee have the task of producing a bill which maintains the current transportation system and provides for new technologies which will make our Nation's transportation system intermodal, efficient and cost effective. This year, all of this had to be achieved with a much tighter budget.

Before I yield to my friend from Ohio, Mr. MCEWEN, I would like to acknowledge the chairman, BILL LEHMAN, and ranking Republican on the subcommittee, Mr. COUGHLIN. Both men will be retiring at the end of this Congress. They both will undoubtedly be missed and have led their committee well.

I would also like to express my sincere thanks and gratitude to BILL LEHMAN. His friendship and advice have been important to me, and I want him to know how much I appreciate both.

□ 1100

Mr. MCEWEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is a pleasure to rise and join the gentleman from Tennessee [Mr. GORDON] in support of this rule.

House Resolution 513 is an open rule that will permit the House to consider the Fiscal Year 1993 Transportation Appropriation Act in a fair and open manner.

I would like to recognize the fine work of the chairman of the Rules Committee, Mr. MOAKLEY, and the distinguished ranking member from New York, Mr. SOLOMON, for their fine work in crafting this rule that respects the rights of the members of the House, and permits us to effectively address the many important issues encompassed by this appropriation measure.

As the gentleman from Tennessee has described, following general debate, the bill will be open to amendment. Points of order are waived against six amendments which are printed in the report,

including the Obey amendment to bring down the budget firewalls, and the amendment of the minority leader, Mr. MICHEL, to reaffirm our commitment to deficit reduction.

The rule waives clause 2, rule XXI against provisions of the bill, except for three sections—one dealing with the Office of Commercial Space Transportation, section 328 continuing the Collegiate Training Initiative Program, and section 338 reducing random drug testing.

Mr. Speaker, I am pleased that this rule does not restrict the essential right of the Republicans to offer a motion to recommit with instructions. The rule also permits the minority leader to offer his responsible alternative to tearing down the spending firewalls. Finally, motions to strike funding from this appropriations bill are not restricted by the rule.

Again, I thank the chairman and ranking member of the Rules Committee for their fine work.

This Transportation appropriations bill is one of the most important measures that we deal with each year. Our national infrastructure, especially our transportation network, lies at the very heart of our economic and international competitiveness.

The chairman and ranking member of the Appropriations Subcommittee on Transportation have each served with tremendous distinction in this body. We will greatly miss Chairman LEHMAN and Mr. COUGHLIN, who have decided that they will return to Florida and Pennsylvania respectively.

They have always worked exceptionally hard in bringing excellent pieces of legislation before us to effectively meet the needs of our Nation. They have consistently exercised fiscal responsibility, working within their budget allocations, and prioritizing as best they could. They have not only protected our interests, but those of our children and grandchildren, who will inherit the national infrastructure we build.

Chairman LEHMAN and ranking member COUGHLIN have always been exceedingly fair, and we will miss you both greatly next year.

H.R. 5518 appropriates \$13.036 billion for transportation purposes, within the 602(b) budget allocation. This represents a decline of 8.8 percent from last year's appropriations, is a mere .6 percent more than requested by the President.

I do regret that one of the most important accounts within this bill, highway spending, is \$1.2 billion below the 1992. Highways remain the primary arteries of our great Nation. Highway spending of \$14.4 billion is \$3 billion below authorization and \$2 billion below the request.

Mr. Speaker, there is likely to be an amendment offered to this bill to eliminate the budget firewalls that

were established in the 1990 budget deal to establish spending ceilings for domestic, defense, and foreign assistance spending. The amendment will take savings that we recently achieved in the foreign aid appropriation, and shift it to transportation programs.

Yes; this sounds appealing. For many years, I have been a strong advocate of using the highway and airport trust funds for their intended purposes—to improve infrastructure. It can and should be done. I have always supported full funding for infrastructure improvement.

However, we should not need to use transportation as an excuse to eliminate the last vestige of fiscal responsibility that the 1990 budget agreement established.

Mr. SHUSTER. Mr. Speaker, will the gentleman yield?

Mr. MCEWEN. I am pleased to yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, I thank my friend for yielding.

The gentleman referred to eliminating the firewalls. I would ask the gentleman, would it not be more accurate to say that the Obey amendment does not eliminate the firewalls; rather, it opens and closes the door to permit one specific amendment to be dealt with in this House? Once that is dealt with, the firewalls are back up and just as firm as they always have been, and if anybody tries to do something else to take down the firewalls, it would require a fight on this floor to accomplish that.

So I would respectfully suggest to my friend that the Obey amendment does not eliminate the firewalls. The firewalls will still be in place. It does in the meantime open the door and then closes the door just as quickly and just as firmly.

Mr. Speaker, does the gentleman not agree with me?

Mr. MCEWEN. Mr. Speaker, the gentleman is absolutely correct.

Mr. SHUSTER. I thank the gentleman.

Mr. MCEWEN. It lets the cow out of the barn, and then it closes the door behind the cow.

Mr. SHUSTER. And it keeps all the other cows in the barn so they cannot get out. But, of course, if the gentleman is against highway spending, I find it rather inconsistent that my good friend would start his speech out by saying we are not spending enough money on highways and in fact refer to the President and Mr. Darman, by the way, who sent a letter up here complaining that the Transportation Appropriation Bill does not spend enough money on transportation, and then we try to correct that by taking money away from foreign aid and spending it on America's infrastructure, and we find people with a Pavlovian response opposed to it. I think that is inconsistent, I would say to my good friend.

Mr. MCEWEN. Mr. Speaker, I thank the gentleman, and I am more than

willing to yield because he makes his point so well, and the question, very simply, is this:

In October 1990, Mr. Darman and Mr. Brady led the President into the slaughter in which he made a deal with this side of the aisle which said this: "Mr. President, you said that if the Congress pushed you would say no, and if the Congress pushed for more taxes, you would say no, and then when the Congress pushed again, you would say, 'Read my lips, no new taxes.'"

So Mr. Darman and Mr. Brady and the leadership of the other side of the aisle came with this marvelous package that said this: "Mr. President, your goal and desire is to keep the Government out of the borrowing market, to leave money out in the marketplace to buy homes, and to buy automobiles, and to buy refrigerators, and to decrease the deficit. So we have a deal with you, Mr. President. If you will just go back on your commitment for no new taxes, if you will just allow this to be crammed down your throat and you will swallow this pill of no new taxes, we have got a great deal for you. Here is what we will do, Mr. President: You are committed to two things: You are committed to standing for freedom and democracy internationally, and you are committed to keeping America free in the area of defense, and, of course, we want to spend unlimited amounts of money on domestic ideas. So here is what we will do: We will categorize those in three specific areas, and, Mr. President, we will put what we will call caps—they are not floors; they will be ceilings—we will put ceilings on defense spending, and we will put ceilings on domestic spending, and we will put ceilings on foreign aid. And, Mr. President, if you will allow those taxes to go through, then any savings that take place in defense, we guarantee you, because we are committed to cutting defense as rapidly as possible, that anybody that has got a career in the Army, the Navy, or the Air Force, we are committed to throwing them out on the street as fast as we can get there, as well as we can cancel any programs.

"And so, Mr. President, any savings we make in defense, we promise not to squander that in some domestic spending. We give our word that we will build a firewall between those two ideas, and, therefore, anything that is saved in defense will go to the taxpayer, it will go to reduce the deficit, and it will go to reduce the borrowing, and, Mr. President, we also know you are committed to standing for freedom and democracy around the world, and we know you have reduced over the last few years significantly the percentage of money going to aid those causes, but if there is any savings also in aid to Israel or any other area, that any savings there also will not be squandered on some inner-city program

that has proven to be wasteful. We guarantee you that that savings will go directly to the taxpayer and to the deficit, and for that commitment we will establish these firewalls."

Now, this year, 2 years later, there are some—and I will say to my good friend, the gentleman from Pennsylvania, that he is just like me, he has been here long enough to know that they "ain't going to honor that commitment." As soon as they get the taxes—

Mr. SHUSTER. Mr. Speaker, will the gentleman yield? The gentleman referred to me.

Mr. MCEWEN. I am trying to respond to the gentleman.

We knew that once they got their taxes, they were going to go whole hog, and that commitment and that promise, that promise that they would allow those savings to go to the taxpayer, once they got those taxes in 1990, come 1992, come July 1992, they were going to take that money and they were going to cut defense and they were going to leapfrog and open the door and let that savings not go to the taxpayer but allow to go to domestic spending. And then on foreign aid, with the bill we just passed last week in which we saved at least \$800 million, rather than allowing it to go to the taxpayer, we are going to open the door and allow it to go to domestic spending.

□ 1110

Of course, it would not go to inner city spending, it would go for some very noble cause. And what is the most noble cause? The gentleman knows that my commitment has always been as to what Government can and should do, and that is for infrastructure. It is to do the things that people cannot do for themselves. It is to build highways, bridges, and that sort of thing. So they will do it for a very noble cause, and they will do what? They will refuse to abide by the commitment and the word which they gave.

We said, you said, I said, we all said, that, guaranteed in 1990, they are going to come back in 2 years, and that is exactly what they will do, and that is exactly what they are trying to do at this moment.

Mr. SHUSTER. Mr. Speaker, if the gentleman will yield further, I think I hear the gentleman from Ohio [Mr. MCEWEN] saying that the noblest of causes is building America's infrastructure, but today the gentleman is standing here opposing our doing that.

Mr. MCEWEN. Mr. Speaker, reclaiming my time, the gentleman from Pennsylvania [Mr. SHUSTER] knows that is not what I said. I did not say I oppose infrastructure at all. I just say that you should abide by your word. Having already snookered the American people, now the gentleman should abide by it.

Mr. SHUSTER. Mr. Speaker, is the gentleman from Ohio [Mr. MCEWEN] for

the so-called budget summit that passed 2 years ago?

Mr. MCEWEN. Absolutely not.

Mr. SHUSTER. The gentleman voted against it, and I voted against it.

Mr. MCEWEN. Absolutely, because we know this would happen.

Mr. SHUSTER. So why should we today support what was a bad deal then and is a bad deal today?

Mr. MCEWEN. Mr. Speaker, the reason we support it now is because the American taxpayer every April 15 has to pay for that mistake, and I am going to make sure that any savings that take place goes back in their pocket and not to increase spending, which was part of the deal that we knew would not be honored when the time came.

Well, Mr. Speaker, we will have ample time to get into all of this. I support this rule, and urge Members to join with me and the gentleman from Tennessee in support of its passage. I look forward to thoughtful consideration of the Transportation bill, and I again commend Mr. LEHMAN and Mr. COUGHLIN for their work. They have left a lasting bright mark on this House.

Mr. Speaker, I reserve the balance of my time.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 5 minutes to my friend, the gentleman from Michigan [Mr. CARR].

Mr. CARR. Mr. Speaker, I thank the gentleman for yielding. I want to thank the gentleman for his leadership in the Committee on Rules and all members on the Committee on Rules, on both sides of the aisle, for giving us this rule.

Mr. Speaker, I rise in support of the rule. I only want to rise right now to take a very small exception to the rule, and it is probably the fault of some of us who should have gotten to the Committee on Rules and made a more forceful explanation of why we thought one particular section should have been protected from a point of order.

Mr. Speaker, I am referring to that section of the bill, section 332, for which the point of order was lodged essentially by the gentleman from Minnesota [Mr. OBERSTAR]. The Committee on Rules enables the gentleman to come to the floor with an amendment. We are going to be debating that amendment. I am not going to take the time on the rule right now to debate the merits of that amendment. All I want to say, however, is that we ought to correct something in the authorization statute that has a dire consequence for the appropriations of money for our Federal Government.

In that particular section, in the wake of the Pan Am 103 disaster, the authorization committee, in its wisdom, included a section which would require background criminal checks and fingerprinting of all airline em-

ployees. That is 500,000 employees throughout the United States.

Mr. Speaker, anyone who knows anything about criminal background checks and fingerprinting knows that the value of work that would have to be done to fingerprint and do criminal background checks on all 500,000 airline employees, from CEO's down to ramp and maintenance personnel, knows that the Federal Government right now does not have the staffing capable of doing those background checks.

While the authorization bill did say that the Government's work in background checks and fingerprinting would be reimbursed by the airlines, we know that there is no way that it would be totally reimbursed. So speaking not just for the Transportation Appropriations Subcommittee, but the other subcommittees on which I serve, the Subcommittee on Commerce, Justice, State Department, and the Judiciary, we simply in these tight budget times do not have the money to ramp up the sections in both FAA and the FBI that would be necessary to engage in such a massive, massive check of people and fingerprinting.

Mr. Speaker, with that sole exception, I rise in support of the rule and recommend its adoption.

Mr. MCEWEN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania [Mr. COUGHLIN], the ranking member of the Subcommittee on Transportation.

Mr. COUGHLIN. Mr. Speaker, the bill the Subcommittee on Transportation is bringing before us today is basically a good bill. It is not everything all of us might want. It is not everything that I might want. It is a tough bill because we are under spending restraints because of the budget deficit that we have. Not every program that I would like to see funded was funded at the level that I would like to have seen.

Mr. Speaker, it is a good bill, but I am going to vote against the rule and I urge my colleagues to vote against the rule because an amendment has been allowed, the Obey amendment, which is yet another example of the chicanery that we used to get around our own self-imposed limits on spending and the deficit.

Mr. Speaker, all of us would like to spend more money on our transportation infrastructure, as well as many other well-meaning programs. But we have a problem. We have a problem of a deficit that is eating us alive.

The Obey amendment would transfer \$400 million in foreign aid outlays to transportation projects and this is a clear violation of the 1990 budget agreement, the law that we passed to help control deficit spending. This contravenes the law which says any savings in the foreign aid category will be applied to reducing the deficit, not to other spending programs.

In addition, the \$400 million in outlays transferred by the Obey amend-

ment will result in some \$2.6 billion in increased budget and obligation authority, further exacerbating the deficit in future years.

Mr. Speaker, the tight spending limits in the appropriations bill are not the result of a dispute over favorite programs between the authorizing and appropriations committees. They result from tight budget allocations necessary to restrain the deficit.

Regardless of the worthiness of the spending programs, we should not scrap the firewalls which provide the only hope of using funds saved from defense and foreign aid to reduce the deficit rather than provide new spending.

Mr. Speaker, I do not understand how any Member can say they give a hoot about the deficit if they vote for the Obey amendment. I am going to say this again and again as we go through this today. This is a travesty on the budget process if we vote for the Obey amendment.

Do we not have one ounce of courage to resist the siren call of more spending? Not one ounce?

Do we not have one shred of shame over the deficit we are leaving for our children? Not one shred?

Do we not have one iota of honor for the agreements we have made to control the budget deficit?

If we have one ounce of courage, if we have one shred of shame, if we have one iota of honor, then we have to vote against the Obey amendment, and I hope we will vote against the rule as well that permits that amendment.

Mr. GORDON. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would simply like to respond to the gentleman from Pennsylvania [Mr. COUGHLIN] by saying this: The Obey amendment which I will offer today is very, very simple. It simply says that we will take \$400 million in outlays which my committee last week cut out of foreign aid, and instead use it to fund high priority job creation programs in our own country by accelerating construction for highways and accelerating construction for transit.

This amendment has absolutely no effect on the deficit. It is a red herring to pretend that if this money is not used here, that it will be somehow applied to the deficit.

First of all, CBO will not score it that way. Second, OMB will not score it that way.

□ 1120

I know, because last year I cut \$135 million out of the foreign aid bill and I tried to apply it to the deficit, and CBO said, "Sorry, fellows, nice try but it does not work, because this money is still available for expenditure for other programs."

Where is the money going to be spent if it is not used here for job creation on

our transportation programs? The Senate is set, the administration is set, to wipe out the \$1.3 billion in cuts which we made last week in foreign aid and put that money right back into the foreign aid bill. They want more military aid for Turkey, they want more military aid for Greece, they want more military aid for Portugal, they want more military aid for our NATO allies, they want at least \$1.3 billion in additional spending.

We eliminated the free lunch for our NATO allies by saying, "No more are you going to get give-away military assistance for Uncle Sam." We saved that money.

The fact is, despite the fact that the Michel amendment which will be offered will pretend that that money will be dedicated for deficit reduction, under the budget rules it cannot be done that way. You know that as well as I do. We were told that last year by CBO and OMB, who are the official scorekeepers. We have no control over that.

The second point I want to make is that I have insisted that this amendment be kept clean. There is not one project in this amendment. There is not 1 ounce of pork in this amendment. However the money is spent, it will be spent in accordance with the authorization bill of last year, and we have insisted, despite numerous efforts, that we keep all pork out of the amendment, so the issue is very simple. If you want to leave this money available for the other body to glom onto to restore foreign aid, vote against the Obey amendment. If you want to dedicate it to job creation here at home, vote for it.

Mr. MCEWEN. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. BROOMFIELD], the distinguished ranking member of the Committee on Foreign Affairs.

Mr. BROOMFIELD. Mr. Speaker, I oppose this rule because it makes in order an amendment to take unused budget authority and spend it on transportation. Based upon action already taken in the House, it is clear that this measure will add to the deficit.

Let there be no mistake about it—this amendment is not going to cut one cent from the foreign aid. The foreign aid spending level was decided last week in an appropriations bill.

What this amendment will do is force the U.S. Treasury to borrow more money from foreign banks to pay our bills.

One month ago we debated, voted, and were defeated on a balanced budget amendment to the Constitution. It is a grave matter to amend the Constitution, yet many of us felt it was this Nation's only hope for fiscal responsibility.

We moved that legislation forward knowing that it was the last desperate step that we could take.

There were several arguments against this measure—many by the supporters of the Obey amendment. They said the President's budget is not balanced. They said that Congress can balance the budget without an amendment to the Constitution.

In the course of the debate one Member stated that the balanced budget amendment would add to the confusion, add to the frustration, and add to the public cynicism. The result, it was said, would be less faith by the American people in the system.

Well, here we are—just 1 month after defeating the balanced budget amendment—and to nobody's surprise, we are busting the budget. I hope the American people are taking note.

In 1990 Congress and the President negotiated a painful but necessary budget agreement to protect ourselves from measures such as this. At that time the President was widely criticized, especially from my side of the aisle, for raising taxes in exchange for limits on spending. Today we and the American people have the opportunity to see the proof of the President's leadership and the failure of the Congress.

The Congress must live by its agreements. We must balance the budget. I urge my colleagues to vote no on the rule, and no on the Obey amendment.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 1 additional minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I have a great deal of respect and affection for the gentleman who just spoke, but I would respectfully urge him to read the amendment. If he reads the amendment, he will see that it cannot add one cent to the deficit. I read subsection (c):

The Congress reaffirms that the deficit reduction assigned to the Committees on Appropriations in the 1993 Concurrent Budget Resolution (H. Con. Res. 287) shall be achieved. The total of the first four domestic discretionary appropriations bills passed by the House is \$154 million below their outlay targets. Additional savings are expected to be made from the six remaining non-defense bills. The Congress intends and commits that the final appropriations bills for fiscal year 1993 sent to the President will fully comply with their existing deficit reduction target.

That is the language of the amendment. It makes quite clear the budget resolution spending limits are not changed one dime. We will fully comply with them. We are required to do so by the language of the amendment, so there is no legal way that any dime can be added to the deficit. I repeat, there is no way under this amendment that any dime can be added to the deficit.

Mr. GORDON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, I would ask the gentleman from Wisconsin [Mr. OBEY], is it not true that if his amendment passes we will be reducing spend-

ing out of the general fund and will be spending a like amount of money out of the highway trust fund?

So we are not simply talking here, and the gentleman makes an excellent point, we are not talking about increasing deficit spending. It is beyond that. We are talking about reducing general fund spending and spending the money, a like amount, out of the trust fund, which has enormous multibillion-dollar balances.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, that is the important point. I want to read from the administration's letter to show the Members what will happen to this money if we do not pass this amendment. The administration's letter to the Congress last week reads as follows on foreign aid:

The administration hopes that the bill will move forward through the legislative process so that necessary changes can be made to gain administration support for final passage.

Among the changes they list is the restoration of the \$1.2 billion in cuts which we made last week, and a restoration of the \$800 million in free military aid which we ended in that bill last week.

Mr. MCEWEN. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, this is a rule where it is everything that is wrong with politics and politicians in the view of the American people. We often as politicians lament the fact that we are not trusted. This rule represents one of the reasons why we are not trusted. We cover up what we are doing with a lot of gobbledygook on the floor, trying to convince people that what we are doing is not what we are doing, and what we are not doing is what we are doing. It just makes absolutely no sense and it is the reason why people are just absolutely disgusted with what they see here.

Last week when the Committee on Rules was on the floor with appropriations bills attempting to keep the minority from even offering amendments on bills, I said that I thought that they were behaving like Nazis and they were behaving like Bolsheviks and they were behaving like slaverunners and so on. I apologized for those remarks because I have decided here that I was wrong. That is not the problem. The problem is that the Democratic leadership and the Committee on Rules that they control are so weak and pathetic that they cannot stand up for honor and they cannot stand up for law.

The fact is that we are operating here under an agreement that was made with the President of the United States back in 1990.

□ 1130

The President of the United States has suffered a good deal politically both in the primary season and throughout this political year for having broken his word, and it is received by the American people as he having said, "No new taxes," and then going back on it. And the Democrats are delighted with the fact that the President is suffering that way, and in fact have even had the gall to use it against him in a couple of instances.

And do the Democrats want to suffer at all for that? No. Whenever the deal, whenever the question of honor comes up for them they simply change it. There is no honor. We are not to be trusted. Everything you said in that agreement is being broken right here in this rule.

What we are saying here is that there is no law which is enforceable because it can be done away with by the Rules Committee in the House of Representatives. There is no word of honor that is too sacred to break, and we can break it with any rule we want to pass in the House of Representatives.

That is just wrong, and we have got to do something better than what we are doing here.

Now I am not talking about the appropriations process. I will say to the gentleman from Florida [Mr. LEHMAN] for whom I have the deepest respect and affection, and for my friend, the gentleman from Pennsylvania [Mr. COUGHLIN] they have tried their best to bring a bill to the floor which works within the limits that they were given, and I think that they have done on the whole a pretty good job. And I thank them for the work that they did.

What we have here though is a case where a subcommittee chairman who just a week or so ago did not want any amendments to his bill brought to the floor, now comes back with an amendment to their bill which totally breaks the agreement that was made with the President of the United States. I just do not understand why the Rules Committee cannot stand up for what their leadership had told us they would do just a matter of a few months ago. Why can you not at least have the guts to stand up for real deficit reduction and for the budget process? But that is not happening.

And then to hear that there is no pork in this, that there are no projects and so on. Let me tell you what the Members are being told. The Members are being told that unless you vote for the Obey amendment there probably will not be enough money available to do your project that you got in the authorization bill last year. So to suggest that this is going to follow the authorization process, oh, yes, it may. But the fact is that what the Members are being individually told is you probably have to vote for this in order to get your project that was in last year's authorization bill.

Now do not tell me what is going on here. Once again we weasel a word, we use gobbledygook. It is a shame we are breaking out past the budget agreement. This rule should be defeated, the previous question should be defeated, and obviously the Obey amendment should be defeated.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McNULTY). Members are reminded to refrain from characterizing the actions or motivations of other Members of the House.

Mr. GORDON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I find it a great irony that the gentleman from Pennsylvania, who comes to this floor almost daily ranting and raving about having the opportunity to debate more, to open up issues to discuss, now comes today and says no, please, let us not talk about some element of this bill. No, cut off debate. No, we cannot talk about that. We cannot talk about a bill that I voted against a few years ago, a great irony indeed.

Mr. MCEWEN. Mr. Speaker, I yield 1 additional minute to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for his remarks a minute ago. This gentleman does believe that we ought to have wide-ranging debate in the House. But this gentleman also believes that we have an obligation to the rules that you adopt. I do not vote for the rules; you do.

And the point is that what you are doing is doing an end run around your own rules process, an end run about the law, and an end run around the word given by your leadership to the President of the United States.

Now I think that those questions of honor ought also to be addressed, and I do come out here. I think we ought to have a very open debate, and the fact is the Obey amendment would not be eligible under the regular processes of the House, an open rule. If you had brought us just a simple open rule to the floor, we could have had the broadest-ranging debate on what the gentleman from Florida and the gentleman from Pennsylvania are bringing us. But no, you crafted a rule that goes even further than that, that breaks your honor, that breaks your word, that breaks your law, and breaks your own rules, and that is wrong.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to characterize the actions or motivations of other Members of the House.

Mr. GORDON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, once again the gentleman from Pennsylvania gets it wrong. The Rules Committee does not set the rules for this House, this House does, this body will set the rules with the majority vote which we will soon

have. Once again the gentleman is wrong.

Once again the gentleman shows that he defines an open debate as a debate on matters that he wants to discuss, not that the House wants to discuss. So, once again we see that he is wrong.

Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I long for the day when I hear the gentleman from Pennsylvania offer a contribution to the debate of this House which elevates the debate rather than doing something else with it.

But I simply want to say that when someone suggests that it is an offense of honor for Members of Congress to want to reduce spending in foreign countries and use that to create jobs here at home, I find that definition of honor to be quaint indeed.

The fact is that this amendment is very simple. It simply says let us bring a little bit of the money home that we are spending abroad and use it to respond to our own economic problems.

Last week we were told that we had added another 150,000 people to the unemployment rolls in this country. This institution has an obligation to do something other than to offer incense to a budget agreement that was designed 2 years ago before this country's economy went into the toilet.

It is about time that we recognize that the economy has changed, that our requirements have changed, and we need to change with them.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I am glad to yield 30 seconds to the gentleman from Pennsylvania [Mr. COUGHLIN].

Mr. COUGHLIN. Mr. Speaker, I just want to respond to the gentleman from Wisconsin and say that what we are concerned about is honoring the budget agreement. This does not honor the budget agreement. There is no question about the fact that this takes money from one category under the budget agreement and puts it in another. That is not honoring the budget agreement.

Mr. GORDON. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I would much prefer to honor our obligation to put American citizens to work than to be worrying and to put on an accountant's eye shade and blindly adhering to an agreement which is 2 years out of date and needs adjustment. This retains the firewalls. It makes a tiny adjustment in them, and I see nothing whatsoever wrong with that.

Mr. COUGHLIN. I am glad we have admitted we have not honored the budget agreement.

Mr. MCEWEN. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, the reason we have high unemployment is because the private sector does not have the capital necessary for expansion to create jobs. It is because of the regulation the Federal Government continues to put on the back of the businessman and the entrepreneur that his counterparts overseas do not have to deal with.

We pass those regulations. The bureaucracy puts those regulations on the businessman. We are the ones that take the money away from him in higher taxes, and that is why they cannot create jobs.

The way to get control of the economic problem we have today is to cut spending and apply the cuts in spending to deficit reduction.

I do not know how many of my colleagues have read this, but this is the state of the economy as put out by several Government agencies. I want my colleagues to see this. The growth in Federal debt, right now we are at \$4 trillion plus in debt. The interest on the national debt is over \$300 billion a year. If Members look at the projections for the next 8 years, it shows that we will be \$13.5 trillion in debt if we do not get control of our appetite for spending.

That is why these kinds of rules are so bad, because they put in report language that you cannot get to, and additional pork barrel projects and wasteful spending that these guys want to take back home to their districts so that they can get reelected.

□ 1140

Let me just give you some other information. A lot of my colleagues say, "Well, as long as GNP to debt is OK, we are going to be all right." The fact of the matter is that that is a percentage of our gross national product, and that is what we collectively produce in this country, and that was 33 percent in 1980. It is 57 percent today. That means we are incurring so much debt that no matter how much we produce as a nation, we are not going to be able to survive economically in the next 10 years if we do not get control of spending in this place.

In this bill we have 52 demonstration projects that are in the report language that are going to cost \$152 million. Ten years ago, in 1982, we had 10 total projects totaling \$386 million. Last year we had \$5 billion in demonstration projects scattered over the next 5 years, and today we are adding to that another \$153 million.

Those are all special pork-barrel projects going back home to their district so that guys can say, "Look what I did for you," and then they get reelected.

This deficit is out of control. It is out of control. If we do not get control of it, our kids are going to really reap the whirlwind.

Do you know what the interest on the Federal debt is going to be by the

year 2000, and that is just 8 years from now, well, it is 7½ years from now? Right now the interest on the debt we are paying is \$304 billion a year. That is the biggest expense in the budget, bigger than health insurance, health care, bigger than the military, it is bigger than anything, just the interest. That is just the interest.

Do you know what it is going to be in 7½ years if we do not change? I will tell you that most appropriations are higher than last year. It is going to be \$1.2 trillion.

I know that these figures are so large that the American people and many of my colleagues cannot comprehend it, but let me just tell you this: It will take more than 100 percent of all the personal income taxes paid in this country just to pay the interest on the debt in 7½ years.

What does that mean? It means that we will not be able to pay the interest on the debt, so the Federal Reserve Board is going to have to get rid of the cause of the interest. That means that they are going to have to pay off part of the debt. If we are at \$13 trillion in debt, they are going to have to say that we are going to have to print more money to pay off half the debt to cut the interest down, because we will not have to pay interest on the part that we do not owe.

So if they put \$6.5 trillion in new currency into the system, do you know what that will do to people on Social Security, on fixed incomes and everybody else? They will have plenty of money, but it will not buy anything. You will be paying \$20 for a loaf of bread or worse.

We have got to get control of spending around here.

Mr. MCEWEN. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, this is basically a pretty fair rule. It accomplishes and it protects as many efforts as were made to prevent legislating on an appropriation act. It gives the minority an opportunity for a motion to recommit stating our cause.

As the debate has centered here on the rule, it is a very cleverly crafted amendment. It is an amendment that absolutely appeals to the heart of many of us, that is, we believe Government should do a limited number of things, and one of the things that it can do is to increase our productivity by increasing our infrastructure.

It is something that has been tremendously reduced over the last decade. During the 1960's and early 1970's, there was a tremendous increase in infrastructure. America's competitiveness increased dramatically.

And now, as we face the 1990's, we see a crumbling of that infrastructure.

I am strongly, strongly committed to seeing that that happens. That is why I oppose every year the effort to put caps on the trust funds. Nine cents out

of every gallon of gasoline that is purchased at a pump every day, every time you buy a gallon of gasoline, 9 cents goes in the trust fund for highways. Every time you purchase an airline ticket, 8 percent goes into the airport trust fund. Both of those funds are very massive. There are tremendous amounts of money in those funds for the very purpose for which we have paid the taxes, and that is what we ought to do.

Therefore, when the amendment is suggested that we take money from foreign aid and use it for that purpose, it pulls at the very heart of many of us that believe that as one of the handful of things that Government should be doing and of which we should be doing more; however, when we are speaking of domestic spending, we think of everything that is being spent domestically.

In the three categories of which the agreement was made in which the words were given, in which many of us sat here very skeptical and said that the day will come in mid-1991-92, "You watch, every dime that we save from tearing down the walls in Berlin, every dime we save from bringing troops home from Europe, every dime we save from canceling the B-2 bomber and the other defense programs, there will be an effort to break down that firewall and continue the spending and increasing the deficit," and every dime that is saved in foreign aid, just as we did just last week, whether it be \$800 million or \$1.2 billion, that every effort to save money from foreign aid will not go back to the taxpayer and the deficit, but it will go for a purpose.

Now, in this middle purpose, you can choose anything you want, but naturally, it is just like at the local level when you want to increase taxes, what do you increase taxes for, only one thing, it is always for schools. Every time you want to increase local property taxes, always for schools. And so when you want to increase spending on a domestic level, we are not going to talk about the tea tasters down at the Department of Commerce that have been there since 1883 still testing tea or whatever it is that they do, we are not going to talk about those programs this Congress refused to cut.

We are going to talk about one of the most responsible, necessary items that America needs to be involved in, and that is making sure our crumbling highways are working, our airports that are overcrowded and way behind development are progressing.

And so, therefore, this amendment is so clever. It is so good. It is so noble. It is something that I would strongly, strongly support, increasing the spending for the domestic level, but I do not want to destroy the package, that is, I want the deficit's benefit to go to the taxpayers and, therefore, this firewall that is established here was given our

word. Now what do people say? "Well, we are only tearing down the firewall for a little bit. We are going to just let the fire in for a little bit, and then after the fire takes off and consumes the \$1.2 billion of America's tax dollars, we are going to build a firewall back up until the next time we need it."

There are only three categories: defense, foreign aid, and domestic. We went through this fight with defense. We are now going through it with foreign aid.

If anyone has any word at all, if anyone has any belief in the word that they gave in 1990 that if they would only get more taxes from the pocketbooks of the American people, we promise to not increase spending; that was the word that was given, and we should honor it today by opposing the Obey amendment when it comes before us.

In the meantime, I say we should support the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. GORDON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just quickly agree with my friend, the gentleman from Ohio, in his categorization of this rule as a fair rule.

I think that anytime you have a bill on the floor there are going to be some amendments that could very well be controversial. That is the case today.

In this body we will have the opportunity, in fair and open debate, to make that determination so we can deal with the amendments as they come forward, but for right now, I agree with my friend from Ohio that this is a fair rule.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, we have heard much today about honor and honoring our commitments.

I would point out that we have made a commitment to the American people, and that was that we told them, "When you pay your gasoline tax dollars into the highway trust fund, and you pay your aviation tax into the aviation trust fund," we said, "we are going to spend that money to improve highways and to improve aviation." So we have a trust with the American people.

Unless we spend the money that is there, we are not keeping our trust with the American people.

In conclusion, I say: Which is better, to keep our trust with the American people or to supposedly honor here an agreement that was a bad agreement when it was made? Many of us voted against it then. It was bad then. It is bad now.

Let us honor our commitment to the American people and spend highway

and aviation trust fund dollars where the money is supposed to be spent.

Mr. GORDON. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

Mr. WALKER. Mr. Speaker, I object. The SPEAKER pro tempore. Objection is heard.

The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 269, nays 149, not voting 16, as follows:

[Roll No. 277]

YEAS—269

Abercrombie	Davis	Hayes (LA)
Alexander	de la Garza	Hertel
Anderson	DeFazio	Hoagland
Andrews (ME)	DeLauro	Hochbrueckner
Andrews (NJ)	Dellums	Horn
Andrews (TX)	Derrick	Horton
Annunzio	Dickinson	Hoyer
Anthony	Dicks	Hubbard
Applegate	Dingell	Huckaby
Aspin	Dixon	Hughes
Atkins	Donnelly	Jacobs
AuCoin	Dooley	Jefferson
Bacchus	Dorgan (ND)	Jenkins
Bateman	Downey	Johnson (SD)
Bennett	Durbin	Johnston
Berman	Dwyer	Jones (GA)
Bevill	Dymally	Jones (NC)
Bilbray	Early	Jontz
Blackwell	Eckart	Kanjorski
Boehlert	Edwards (CA)	Kaptur
Borski	Edwards (TX)	Kennedy
Boucher	Emerson	Kennelly
Boxer	English	Kildee
Brewster	Erdreich	Klecza
Brooks	Espy	Kolter
Browder	Evans	Kopetski
Brown	Fascell	Kostmayer
Bruce	Fazio	LaFalce
Bryant	Feighan	Lancaster
Bustamante	Fish	Lantos
Byron	Flake	LaRocco
Campbell (CO)	Foglietta	Laughlin
Cardin	Ford (MI)	Lehman (CA)
Carper	Ford (TN)	Lehman (FL)
Carr	Frank (MA)	Levin (MI)
Chandler	Frost	Levine (CA)
Chapman	Gaydos	Lewis (GA)
Clay	Gejdenson	Lipinski
Clement	Gephardt	Lloyd
Clinger	Geren	Long
Coleman (TX)	Gibbons	Lowey (NY)
Collins (IL)	Glickman	Luken
Collins (MI)	Gonzalez	Manton
Combest	Gordon	Markey
Condit	Guarini	Martinez
Cooper	Hall (OH)	Matsui
Costello	Hall (TX)	Mavroules
Cox (IL)	Hamilton	Mazzoli
Coyne	Hammerschmidt	McCurdy
Cramer	Harris	McDermott
Darden	Hayes (IL)	McGrath

McHugh	Penny	Smith (IA)
McMillen (MD)	Perkins	Spratt
McNulty	Peterson (FL)	Staggers
Mfume	Peterson (MN)	Stallings
Michel	Petri	Stark
Miller (CA)	Pickett	Stenholm
Mineta	Pickle	Stokes
Mink	Poshard	Studds
Moakley	Price	Sweet
Molinari	Quillen	Swift
Mollohan	Rahall	Synar
Montgomery	Rangel	Tallon
Moody	Reed	Tanner
Moran	Richardson	Tauzin
Mrazek	Roe	Thomas (GA)
Murphy	Roemer	Thornton
Murtha	Rose	Torres
Nagle	Rostenkowski	Torricelli
Natcher	Rowland	Towns
Neal (MA)	Roybal	Traficant
Neal (NC)	Russo	Unsoeld
Nowak	Sabo	Valentine
Oakar	Sanders	Vento
Oberstar	Sangmeister	Visclosky
Obey	Sarpalius	Volkmer
Olin	Sawyer	Waters
Oliver	Schiff	Waxman
Ortiz	Schroeder	Weiss
Orton	Schumer	Wheat
Owens (NY)	Serrano	Whitten
Pallone	Sharp	Williams
Panetta	Shuster	Wilson
Parker	Sikorski	Wise
Pastor	Skaggs	Wolpe
Patterson	Skeen	Wyden
Payne (NJ)	Skelton	Yates
Payne (VA)	Slattery	Yatron
Pease	Slaughter	Young (FL)
Pelosi	Smith (FL)	

NAYS—149

Allard	Gunderson	Pursell
Allen	Hancock	Ramstad
Armey	Hansen	Ravenel
Baker	Hastert	Ray
Ballenger	Hefley	Regula
Barrett	Henry	Rhodes
Barton	Herger	Ridge
Beilenson	Hobson	Rinaldo
Bentley	Holloway	Ritter
Bereuter	Hopkins	Roberts
Billrakis	Houghton	Rogers
Bliley	Hunter	Rohrabacher
Boehner	Hutto	Ros-Lehtinen
Broomfield	Hyde	Roth
Bunning	Inhofe	Roukema
Burton	Ireland	Santorum
Callahan	James	Saxton
Camp	Johnson (CT)	Schaefer
Campbell (CA)	Johnson (TX)	Scheuer
Coble	Kasich	Schulze
Coleman (MO)	Klug	Sensenbrenner
Conyers	Kolbe	Shaw
Coughlin	Kyl	Shays
Cox (CA)	Lagomarsino	Sisisky
Crane	Leach	Smith (NJ)
Cunningham	Lewis (CA)	Smith (OR)
Dannemeyer	Lewis (FL)	Smith (TX)
DeLay	Lightfoot	Snowe
Doolittle	Livingston	Solomon
Dornan (CA)	Machtley	Spence
Dreier	Marlenee	Stearns
Duncan	Martin	Stump
Edwards (OK)	McCandless	Sundquist
Engel	McCollum	Taylor (MS)
Ewing	McCrery	Taylor (NC)
Fawell	McDade	Thomas (CA)
Fields	McEwen	Thomas (WY)
Franks (CT)	McMillan (NC)	Upton
Gallely	Meyers	Vander Jagt
Gallo	Miller (OH)	Vucanovich
Gekas	Miller (WA)	Walker
Gilchrest	Moorhead	Walsh
Gillmor	Morella	Weber
Gilman	Morrison	Weldon
Gingrich	Myers	Wolf
Goodling	Nichols	Wylie
Goss	Nussle	Young (AK)
Gradison	Packard	Zeliff
Grandy	Paxon	Zimmer
Green	Porter	

NOT VOTING—16

Ackerman	Barnard	Hatcher
Archer	Bonior	Hefner

Lent	Oxley	Traxler
Lowery (CA)	Riggs	Washington
McCloskey	Savage	
Owens (UT)	Solarz	

□ 1212

Mrs. ROUKEMA, Mr. ENGEL, and Mr. RAY changed their vote from "yea" to "nay."

Messrs. DAVIS, PETRI, and OWENS of New York changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEHMAN of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and that I may include extraneous and tabular material, on H.R. 5518, the bill about to be considered.

The SPEAKER pro tempore (Mr. MCNULTY). Is there objection to the request of the gentleman from Florida?

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

Mr. LEHMAN of Florida. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5518) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1993, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Pennsylvania [Mr. COUGHLIN] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. LEHMAN].

The motion was agreed to.

□ 1215

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5518, with Mr. BOUCHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Florida [Mr. LEHMAN] will be recognized for 30 minutes and the

gentleman from Pennsylvania [Mr. COUGHLIN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. LEHMAN].

Mr. LEHMAN of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is a pleasure to submit for the consideration of the Committee of the Whole House the bill, H.R. 5518, making appropriations for the Department of Transportation and related agencies for fiscal year 1993.

Before I get into the details of this particular bill, let me express my appreciation to the Members who serve on the transportation appropriations subcommittee. The gentleman from Michigan [Mr. CARR], the gentleman from Illinois [Mr. DURBIN], the gentleman from Minnesota [Mr. SABO], the gentleman from North Carolina [Mr. PRICE], and the gentleman from Texas [Mr. COLEMAN] all provided valuable insight and perspective during the 4-month in-depth review we gave to Federal transportation programs and policies during our hearing process. It is my privilege and good fortune to serve with them.

The subcommittee minority members are also very special. We are pleased to have on the subcommittee, as an ex officio member, the ranking minority member of the full Appropriations Committee, the gentleman from Pennsylvania [Mr. MCDADE]. The gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. DELAY] have both been on the subcommittee for several years, and display determination and a strong commitment to a safe and effective transportation system for this Nation. I believe we are as bipartisan as a committee can be, and I appreciate very much the hard work of every member. The bill before you today is a bipartisan one.

Let me now make special mention of our ranking minority member, the gentleman from Pennsylvania [Mr. COUGHLIN], who has for many years spent long hours in hearings doing the difficult and time-consuming work of our committee. As a result of this tireless effort, he has developed a strong and comprehensive understanding of our transportation programs and policies. With this bill, LARRY and I have now had the honor to bring before this body, on behalf of the committee, 10 regular transportation appropriations bills. We have served together on the subcommittee since 1979. I have the highest admiration for his knowledge, dedication, and character, and I want him to know of my sincere appreciation for his work over these many years. He is a class act, and he is my special friend. The House will lose one of its greatest, most valuable Members when LARRY retires at the end of this Congress.

Now I want to thank our full committee chairman, the gentleman from

Mississippi [Mr. WHITTEN] for his efforts on our behalf. As he often reminds us, our Nation's public works represent the real and lasting wealth of this country. Our transportation system has served our country well—and we must continue to preserve and enhance it.

Mr. Chairman, in preparation for this bill the committee reviewed 2,247 pages of budget and grant justification documents and developed a hearing record contained in six published volumes amounting to 6,063 pages. Testimony was received from hundreds of witnesses in over 8 weeks of hearings. Requests were received from a large number of Members of Congress representing all geographic areas of this Nation.

SUMMARY OF THE BILL

Let me take a brief moment to summarize the bill. In total, it provides spending for Federal transportation programs of about \$35.1 billion, of which approximately \$13 billion is new budget authority, \$2.6 billion is for highway programs exempt from the Federal aid-highways obligation limitation, and \$19.2 billion is comprised of various limitations on contract authority obligations.

In total obligational authority, the bill is \$369 million below the amount provided in the Transportation and Related Agencies Appropriations Act in fiscal year 1992.

BUDGET RESOLUTION TARGET

I would direct the Members' attention to page 185 of the committee report, which shows that this bill does not exceed our section 602(b) allocation for discretionary budget authority or outlays. As the Members know, under the Budget Act, the committee is provided a lump sum allocation pursuant to section 602(a), and the Appropriations Committee then subdivides that among its 13 subcommittees. The 602(b) totals are within the limits set forth in the 1990 budget summit agreement with the White House. Let me repeat: This is a fiscally responsible bill which meets the requirements of the House-passed budget resolution in both discretionary budget authority and outlays.

BUDGET REQUEST

Mr. Chairman, some Members here will undoubtedly feel that this bill is inadequate because it provides less funding than the President requested for highways. Let me point out to those Members that the funding available for transportation spending is less than last year, and less than the outlays in the President's budget. Some of you may recall my "Dear Colleague" letter of March 18, 1992, in which I advised Members that without passage of the firewalls bill—H.R. 3732—we would not be able to provide funding for highways even close to the levels approved in the Surface Transportation Act. The House did not bring down the fire-

walls—and now we are faced with the consequences of that decision, as I forewarned.

But let me also point out that the President's budget was only able to include large growth—\$1.6 billion—in the highway program by making dramatic reductions in two other areas which have historically been rejected by the Congress: Amtrak and mass transit. The cuts proposed by the administration would result in the termination of Amtrak and pose an additional financial burden on mass transit systems in our urban areas. This body has overwhelmingly rejected past proposals to shut down Amtrak, and I see little sentiment to do that now that Amtrak is improving its financial performance. Seeing the lack of transportation alternatives, the economic problems, and recent social unrest in our inner cities, it makes no sense to cut transit spending so low that cities are forced to raise fares, cut bus routes, and reduce service.

I would have preferred additional funding for highways. I know additional funds are needed to solve the serious economic development, congestion, and safety problems facing us in many States. However, as I have stated in past years, we have the responsibility to provide a balanced transportation system within the funding available. All segments of our transportation system are vital to the prosperity of this country. The bill before you restores funding for a balanced transportation system. This was not easy to accomplish.

SELECTED MAJOR RECOMMENDATIONS

With respect to the major recommendations in this bill, I would call the attention of the Members to pages 2 and 3 of the report. A table comparing the bill to fiscal year 1992 and the President's request appears beginning on page 188 of the report. The major highlights of this bill include:

First, a 2-percent increase in total FAA funding—\$162 million more than last year's level. This includes \$1.8 billion for grants-in-aid for airports, \$4.5 billion for FAA operations—a 4-percent increase—and \$2.4 billion for facilities and equipment—a 2-percent increase.

Second, obligational authority of \$17.1 billion for Federal-aid highways and exempt programs, an increase of \$100 million over fiscal year 1992;

Third, funding for the Mass Transit Formula Grant Program at a level of \$1.8 billion;

Fourth, obligations of not to exceed \$1.6 billion for the Discretionary Grants Program of the Federal Transit Administration, including \$320 million for buses and bus facilities, \$640 million for fixed guideway modernization, and \$640 million for new systems;

Fifth, \$405 million for grants to the National Railroad Passenger Corporation [Amtrak], which is \$208 million above the level for comparable ex-

penses in the President's budget request;

Sixth, funding of \$120 million for operations and research activities of the National Highway Traffic Safety Administration, a reduction of \$2.5 million from the fiscal year 1992 level;

Seventh, an increase of \$58.2 million—2 percent—over the fiscal year 1992 appropriation for overall Coast Guard funding, excluding Department of Defense funding; and

Eighth, funding of \$165 million for construction of the Washington, DC, metrorail system, an increase of \$41 million over the fiscal year 1992 level.

OFFICE OF THE SECRETARY OF TRANSPORTATION

Mr. Chairman, for salaries and expenses of the Office of the Secretary of Transportation, the bill provides a total of \$63 million, which is less than the fiscal year 1992 enacted level. In addition, office-by-office dollar breakdowns are specified in the bill as has been one in the past. The bill also provides an obligation limitation of \$38.6 million, as requested in the budget, for payments to air carriers and \$11.9 million for GSA rental payments.

Payments to air carriers. With respect to the "payments to air carriers" appropriation, the committee has tried to strike a fair balance between the transportation needs of rural America and the need to rid this program of the excess subsidies that have taken place in the past. The committee remains concerned over the continuing high levels of subsidy in this program. Therefore, the bill continues a limitation against expanding the program unless certain criteria are met, or for upgrading service levels.

COAST GUARD

With respect to the Coast Guard, we recommend a total program level of \$3.5 billion. Including \$206.6 million to be transferred from the Department of Defense, this total level is \$58 million more than the total Coast Guard program level for fiscal year 1992. The bill specifies that \$48.8 million be derived from the oilspill liability trust fund, which was established by the Oil Pollution Act of 1990.

Operating expenses. For Coast Guard operating expenses, the bill provides a program level of \$2.5 billion for fiscal year 1993, including \$156.6 million to be transferred from the Department of Defense for the defense readiness activities of the Coast Guard. This total amount is \$39 million, or 2 percent, more than the amount appropriated for similar activities in fiscal year 1992. It is \$102 million below the budget request. The reduction from the budget request is primarily due to budget constraints, and the committee has targeted many of the reductions to areas in which the Coast Guard could reduce or eliminate the impact by making management changes or other program efficiencies.

Acquisition, construction, and improvements. For acquisition, construc-

tion, and improvements, we are recommending an appropriation of \$384 million for fiscal year 1993. The total program level is comprised of \$104.5 million for vessels; \$122.5 million for shore and aids to navigation facilities; \$53.4 million for aircraft; \$67.6 million for other equipment; and \$36.5 million for personnel. The recommended level includes funding to begin procurement of a new coastal buoy tender, continue the 210-foot cutter overhaul, and continue the procurement of essential search and rescue and drug interdiction helicopters. The recommended level provides sufficient funding to allow the highest priority, most well justified projects to proceed.

Alteration of bridges. The bill also includes \$11 million to alter or remove bridges that may be unreasonable obstructions to the waterborne commerce of the United States. This sum will support the alteration of five railroad and highway bridges over the Mississippi, Pascagoula, and Brunswick Rivers.

Retired pay. The sum of \$519.7 million, as requested in the 1993 budget, would be appropriated for the pay of retired military personnel of the Coast Guard and Coast Guard Reserve. This is based on an average of 27,293 personnel on the retired rolls.

Reserve training. For reserve training, the bill provides a program level of \$74.1 million, including \$50 million to be transferred from the Department of Defense. This is approximately the same as provided in fiscal year 1992, and will provide for a Ready Reserve of 18,500, including a Selected Reserve of 10,850.

Research, development, test, and evaluation. The bill includes \$27.9 million for the applied scientific research, development, test, and evaluation projects necessary to maintain and expand the technology required for the Coast Guard's operational and regulatory missions. This is a \$1.2 million, 4-percent decrease from the fiscal year 1992 level.

Boat safety. For the State recreational boating safety program, we have included \$30 million, which is \$5 million less than the level provided for fiscal year 1992.

FEDERAL AVIATION ADMINISTRATION

For the Federal Aviation Administration, we are recommending a total program level of \$9 billion, including a \$1.8 billion limitation on the use of contract authority for fiscal year 1993. This is \$162 million—or 2 percent—more than the fiscal year 1992 level. While this is larger than many other parts of the bill, I believe it is essential to continue safe operation of the air traffic control system, continue modernization of the national airspace system, improve our airports, and continue important safety regulatory and research initiatives.

Aviation trust fund. The bill before you specifies that approximately 50

percent of the funding for FAA operations is to be derived from the aviation trust fund. In total, the amounts in the bill are estimated to result in total trust fund spending; that is, outlays, of approximately \$6.4 billion, which is approximately \$800 million higher than estimated trust fund tax receipts in fiscal year 1993.

Operations. For FAA operations, we recommend a total program level of 4.5 billion. This represents an increase of \$178 million over the fiscal year 1992 program level. This would provide for 52,251 positions including 22,863 controllers, supervisors, and support personnel for air traffic centers and towers, and 4,120 flight service station personnel.

Controller staffing. Under the committee recommendation, actual air traffic controller end-of-year employment would increase to the requested level of 17,871 personnel by September 30, 1993. This is 150 controllers above the level projected for September 30, 1992.

Facilities and equipment. For facilities and equipment, the bill contains \$2.4 billion for fiscal year 1993—an increase of \$65 million—2 percent—over fiscal year 1992. This account finances modernization and improvements to our air traffic control system. I want to stress that, although the FAA's capital investment plan [CIP] is behind schedule, those delays are due to technology development and contractor deficiencies—not to lack of funding. For example, the General Accounting Office reports that 10 of the CIP's 12 largest programs experienced either cost growth or schedule delays in the past year alone. Two particular programs account for about one-third of all facilities and equipment funding in the fiscal year 1993 budget, and both are experiencing delays. To provide a larger increase, given the state of individual F&E programs and the deficit problems facing the Nation this year, would not be fiscally responsible. However, as the equipment is developed, adequately tested, and ready to purchase, the funds will be provided—and our record proves this. I direct the Members' attention to pages 64 and 65 of the committee report for a detailed discussion of the status of the FAA's modernization program.

Research, engineering, and development. With respect to FAA research, engineering, and development, we recommend \$237 million, an increase of \$7 million over the budget request and \$19 million over fiscal year 1992.

Airport improvement program. The bill also includes a \$1.8 billion obligation limitation for airport development and planning grants. This represents a decrease of \$100 million from the fiscal year 1992 level. This is consistent with funding for other grant programs in the bill, which were virtually all reduced from the fiscal year 1992 level due to budget constraints.

Aircraft purchase loans. We also recommend continuing the FAA's authority to borrow from the Treasury to pay defaulted aircraft purchase loans at the requested level of \$9.9 million.

FEDERAL HIGHWAY ADMINISTRATION

Under the Federal Highway Administration, the bill provides for a total fiscal year 1993 program level of \$17.4 billion in highway aid. The limitation on Federal-aid highway contract authority obligations and funding for obligations exempt from this limitation total \$17.1 billion, which is \$132 million above the fiscal year 1992 funding for those programs.

Mr. Chairman, this is one of the most important transportation programs that we have. Over 90 percent of total interstate passenger-miles and 20 percent of total interstate freight ton-miles move on the Nation's highway system. As I mentioned earlier, congestion delays on our highways are in the billions of hours each year. Despite its importance, however, the severe budget restraints facing the committee this year prevent us from providing a higher level of funding. The administration's proposal, while proposing a greater increase in highway spending, would do so only at the expense of other critical transportation programs, which is unacceptable and does not provide adequately for a balanced national transportation system.

Federal-aid highways. Mr. Chairman, for the Federal-aid highways obligation limitation, we are recommending a ceiling of \$14.4 billion. The budget proposed \$18.8 billion. However, the budget included funds for minimum allocation, \$1.1 billion, and for ISTEA demonstration projects, \$450 million, under this head. The committee's recommendation exempts such funds from the obligation limitation, consistent with fiscal year 1992 congressional action.

Administrative expenses. Mr. Chairman, the bill also provides a total of \$351.2 million for FHWA administrative expenses, \$67.8 million less than the fiscal year 1992 level. Of the recommended amount, \$30 million is for the intelligent vehicle highway systems [IVHS] program. When combined with \$113 million in contract authority provided in the ISTEA legislation, the committee's recommendation would provide a total program level of \$143 million in fiscal year 1993 for IVHS.

Miscellaneous highway programs. The bill also contains an appropriation of \$4.5 million for railroad-highway crossings demonstration projects at three different locations. For highway-related safety grants, an obligation limitation of \$10 million is recommended, a 7-percent increase over the fiscal year 1992 funding level. We also recommend a limitation on direct loans for the right-of-way revolving fund of \$42.5 million and appropriations totaling \$167 million for a number of

specific highway projects, all of which have been funded in a previous Transportation Appropriations Act.

Motor carrier safety: For motor carrier safety, the bill includes \$51.5 million to continue the activities of the Office of Motor Carrier Safety. This is an increase of \$3.9 million over the fiscal year 1992 level. The bill also provides a \$65 million limitation on obligations for the motor carrier safety grant program, the same as the fiscal year 1992 funding level.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

For the National Highway Traffic Safety Administration, the bill includes a total program level of \$258.1 million. This is \$2.5 million less than the level provided for fiscal year 1992. The bill specifies that \$181.2 million of this amount is to be derived from the highway trust fund, with the balance from the general fund.

Operations and research. Mr. Chairman, the committee's recommendation of \$120.1 million pares down the excessive growth requested in some areas of this appropriation in order to reduce or defer low priority activities and to fund critical but unbudgeted activities in the areas of rulemaking, emergency medical services, and trauma research. The largest reduction, \$9.4 million, would defer additional funding for the national advanced driving simulator.

State and community highway safety grants. We also recommend a limitation on obligations for the State and community highway safety grant program of \$138 million, the same as the fiscal year 1992 level. While this is less than the authorized level, it is more than the funding recommended for some other grant programs, which due to budget constraints were funded below the fiscal year 1992 level.

FEDERAL RAILROAD ADMINISTRATION

Mr. Chairman, for the Federal Railroad Administration, major recommendations include \$40 million for railroad safety, \$14.8 million for railroad research and development, \$146 million for mandatory rail passenger service payments, \$17.3 million for Office of the Administrator expenses, and \$7 million for Conrail commuter transition assistance.

Amtrak. We are recommending \$331 million for Amtrak operating expenses in fiscal year 1993. The President's budget proposed \$123 million for comparable expenses, and assumed significant savings from legislation which has not been enacted. The committee's recommended level represents the same operating subsidy as provided in fiscal year 1992. Mr. Chairman, the Members should know that Amtrak's financial performance continues to improve. Despite the economic downturn which has negatively affected business revenues in all modes of transportation, Amtrak is requesting no increase in its operating subsidy. I would direct the Mem-

bers' attention to the discussion and graphs on Amtrak's financial performance on pages 139 and 140 of the report.

In addition, the committee's recommendation includes \$74 million for Amtrak's capital program, which is the same amount as the administration's proposal, but far below last year's level of \$175 million.

Northeast corridor improvement program. No funding is recommended for this program due to budget constraints. No separate appropriation for this purpose was included in the President's budget proposal. Funding of \$205 million was provided in fiscal year 1992. The committee remains concerned that an overall plan has not been developed to allow the reduction of Amtrak travel time to 3 hours between New York and Boston, and that cost estimates and ridership projections need further refinement. Because of these concerns, the committee has directed the Department to conduct a study of the costs and ridership potential of 3-hour New York to Boston service.

The bill also includes a loan of not to exceed \$3.5 million for track work in Illinois. This will be of direct benefit to Amtrak, and continues a project funded in several prior appropriations acts.

FEDERAL TRANSIT ADMINISTRATION

For the Federal Transit Administration, a total program level of \$3.8 billion is recommended for fiscal year 1993. This is \$789 million more than the budget request, and \$27 million more than the fiscal year 1992 program level.

Formula grants. Under the formula grant program, we recommend an appropriation of \$1.8 billion. This is \$280 million more than was provided for fiscal year 1992.

Operating assistance. The committee recommends that \$720 million of the formula grant appropriation be made available for operating assistance. This is \$82.2 million less than the level provided last year and \$503 million above the budget request.

Discretionary grants. The bill also includes language limiting obligations for transit discretionary grants to \$1.6 billion. This is \$600 million above the budget estimate. This account is financed from the mass transit account of the highway trust fund. I invite the Members' attention to pages 151 through 154 of the report for a detailed description of how these funds are to be distributed. The bill includes separate funding levels specified for each new start transit program.

Interstate transfer—transit. The bill also includes \$75 million for transit projects that have been substituted for interstate highway projects. These funds will be distributed as outlined on page 159 of the report.

R&D/administrative expenses. The bill also provides a total of \$125.5 million for research and administrative expenses of FTA.

Washington Metro. The bill provides \$165 million to continue construction

of the Washington, DC Metrorail system. This is \$41 million, 33 percent, above the fiscal year 1992 level, and \$17 million below the budget request.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The bill includes an appropriation of \$11.1 million from the harbor maintenance trust fund to finance operations and maintenance of the St. Lawrence Seaway, a 5-percent increase over the fiscal year 1992 level.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

For the Research and Special Programs Administration, the bill contains appropriations totaling \$36.6 million. This represents an 8-percent increase over the fiscal year 1992 level. Of this amount, \$14.1 million is provided for the pipeline safety program, including funding for the State grants-in-aid program at the requested level of \$7 million. The recommended level includes \$850 thousand to develop a training curriculum for a new emergency preparedness grants program—funded in other legislation through a permanent appropriation—and \$360 thousand for salaries and expenses of the Alaska pipeline task force.

INSPECTOR GENERAL

For the Office of the Inspector General, the bill includes an appropriation of \$38 million, a 3-percent increase over the fiscal year 1992 level.

TITLE II—RELATED AGENCIES

Title II of the bill contains new budget authority for six transportation-related agencies and commissions. Specifically, we recommend \$3.2 million for the Architectural and Transportation Barriers Compliance Board, \$36 million for the National Transportation Safety Board, \$43.9 million for salaries and expenses of the Interstate Commerce Commission, limitations on the Panama Canal Commission of \$51.1 million for administrative expenses and \$530 million for operating and capital expenses, \$10.4 million for the Department of the Treasury to rebate St. Lawrence Seaway tolls, and \$51.6 million for the Federal share of interest payments for the bonded indebtedness of the Washington Metropolitan Area Transit Authority.

TITLE III—GENERAL PROVISIONS

Mr. Chairman, there are a number of general provisions in this bill that will be of interest to the Members, and I direct their attention to pages 176 and 177 of the report for a discussion of these provisions.

CLOSING

Mr. Chairman, the bill before the body is a fiscally responsible one which provides balanced funding for our transportation programs and will significantly improve the infrastructure of this Nation. It restores adequate funding for Amtrak and mass transit operating subsidies, and at the same time provides overall increases for

aviation and the Coast Guard. I say again that it does not exceed the section 602(b) ceiling for discretionary budget authority and outlays. I ask for its favorable consideration and approval.

Mr. Chairman, I reserve the balance of my time.

Mr. WHITTEN. Mr. Chairman, I want to pay tribute to the gentleman from Florida [Mr. LEHMAN] and the gentleman from Pennsylvania [Mr. COUGHLIN] and my other colleagues on the Transportation Subcommittee for the great job in putting together this bill.

TRANSPORTATION BILL IS INVESTMENT IN OUR FUTURE

We are recommending a bill which provides nearly \$35 billion in investments for our Nation's future. Money in this bill is indeed an investment in America—in the real wealth of our country. It will produce both immediate and long-term dividends. It will help us to compete in the world marketplace and regain our normal share of domestic and world markets. Transportation is vital to a strong nation and economy, and we must make every effort to maintain a high level of investment in national assets—highways, railways, and airports.

I am proud to be a member of the subcommittee which recognizes the importance of transportation in a strong nation on which all else depends.

Within this bill there are programs of special interest to my area and State.

This bill provides continued funding for the highway safety and economic development demonstration projects for east-west highways. Funding is included to continue the alteration of the railroad bridge over the east Pascagoula River. For aviation, high priority consideration for funding of improvements is provided for the airports at Philadelphia and Meridian.

Mr. Chairman, this bill is important to maintaining America's wealth. I strongly urge its adoption.

□ 1220

Mr. COUGHLIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we all know, Chairman LEHMAN and I have sung a pretty good duet for a number of years, and I only wish the finale could be in harmony. Chairman LEHMAN has left his mark on this Congress. He has left his mark on transportation, and he has left his mark on this country.

All one has to do is look at transportation and transit in his city of Miami, in his State of Florida, and indeed across the Nation to see that mark. It has been a great mark. But more than that, he has left his mark on people with an abundance of warmth and thoughtfulness, and with great integrity. I cannot tell the Members how much it has meant to me personally and professionally to have had the op-

portunity to work with the chairman of this subcommittee and, as I have said before, with the other members of our subcommittee.

As I have said before, I strongly believe that the Subcommittee on Transportation has worked on a bipartisan basis and in the best interest of this great country. Its members and its staff are professionals in the best sense of the word and we are grateful to them for the work they do and the service they provide to our country.

□ 1230

I salute the gentlemen from Pennsylvania, Mr. MCDADE, Virginia, Mr. WOLF, Texas, Mr. DELAY, Michigan, Mr. CARR, Illinois, Mr. DURBIN, Minnesota, Mr. SABO, North Carolina, Mr. PRICE, and Texas, Mr. COLEMAN. It has indeed been a pleasure to serve on our subcommittee with them, but a particular pleasure to work with you, Chairman LEHMAN, my very dear friend and colleague.

Let me also thank the staff for the good work they have done on the bill: Kenny Kraft, Lorraine Howerton, and John Blazey for the minority. Tom Kingfield, Rich Efford, Lucy Hand, Linda Muir, and Zee Latif for the majority. They are also true professionals.

This bill is different from last year's bill in many respects.

It is different because last year we received a generous 602(b) allocation. This year we did not.

It is different because last year there was something for just about everyone. This year, every program, excluding FAA, was either frozen at last year's level or received a cut.

It is different because last year we had \$141.9 million for new highway demonstration projects. This year there is no funding for new starts.

Some refer to these projects as pork, but in reality they are projects that are going to be built, and are going to be built from the highway trust funds.

This year the bill represents \$13 billion in new budget authority, an increase of \$84 million over the almost \$13 billion requested in the budget. But when you take into account obligation ceilings, this year the bill represents \$35.2 billion, which is \$1.5 billion less than the budget request, and \$4 billion less than fiscal year 1992. So it is a very tight bill indeed.

The chairman has outlined some highlights. Let me just go through a couple. It has \$3.6 billion overall for the Coast Guard budget, including \$206 million in transfer from DOD. This represents \$2.5 billion in operating expenses, which is \$133 million less than the budget request and \$58 million more than fiscal year 1992.

It has \$4.5 billion for FAA operations, an increase of \$178 million over fiscal year 1992. It has \$2.5 billion for facilities and equipment, and \$1.8 billion for airport grants, \$17 billion for the high-

way obligation ceiling, \$405 million for Amtrak grants, \$1.8 billion for the Federal Transit Administration, \$165 million for the Washington Metro, and \$162 million for existing highway demonstration funds.

This is not a perfect bill. There are things I would change if I could. In fact, two issues are of great concern to me. One issue is language in the bill that is legislative in nature which reduces the Department of Transportation's airline employee drug and alcohol sampling rates from 50 percent to 10 percent. At a time in which we are trying to ensure a safe travelling public we are simply moving too far too fast. We cannot afford to grossly reduce the only safeguards we have to deter and detect illegal drug and alcohol use in safety sensitive positions and I would hope this will be rectified.

The other issue is the big hit the Coast Guard took. We are proposing a funding level of \$3.6 billion which is \$133,161,000 less than the budget request. I think we all remember what happened in 1988 when we underfunded the Coast Guard, and it was not a pretty picture.

Mr. Chairman, I am most concerned about two amendments that are going to be introduced to this bill. One, the so-called Obey amendment which was discussed in connection with the rule, would transfer money from the foreign operations account to the transportation account, in flagrant violation of our own self-imposed rules of the firewall that we ourselves established, and in a time of tight spending limits, would not use money to reduce the deficit, but again to increase spending.

Mr. Chairman, if we are ever going to get any kind of a grip on the deficit, any kind of grip on the budget, we cannot simply ignore the rules we impose on ourselves every time they pinch a little bit. The Obey amendment, Mr. Chairman, should be defeated.

The second is an amendment which would impose bill legislation in regard to flight attendant work rules. Those flight attendant work rules are the proper subject of either legislation through the legislative committee or negotiation between labor and management. They do not belong in this bill.

So, Mr. Chairman, I would urge my colleagues to resist the attempts to amend this bill and adopt what is a very good bill, the very best bill that we could produce, by voting for the bill as it is now, by voting against the amendments, and voting for the bill that we have produced.

Mr. Chairman, I reserve the balance of my time.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, I rise in support of this bill which, as the other bills which have come out of the Committee on Appropriations, this is

the ninth of 13 annual appropriations bills, and this bill meets the targets that were established by the budget resolution and by the budget agreement. As a matter of fact, it provides about \$301 million less on the 602(b) spending subdivision in budget authority and it is right on with regard to outlays.

Mr. Chairman, while I share some of the concerns about the amendments that were made here that will be coming up, I think the bill itself does an outstanding job of meeting the targets that we have established.

It is not easy, but I commend the chairman and the ranking member for the job they have done in meeting the targets provided by the budget resolution.

I rise in support of H.R. 5518, the Department of Transportation and Related Agencies appropriations bill for fiscal year 1993. This is the ninth of the 13 annual appropriations bills to be considered by the House.

The bill provides \$12,499 billion in discretionary budget authority and \$33,375 billion in discretionary outlays, which is \$301 million less than the 602(b) spending subdivision for this subcommittee in budget authority and equal to the subdivision in estimated outlays.

I commend the chairman and ranking member of the subcommittee for bringing this bill to the floor in a timely fashion.

As chairman of the Budget Committee, I will inform the House of the status of all appropriations bills compared with their 602(b) subdivisions as they are considered on the House floor.

I look forward to working with the Appropriations Committee on its remaining bills.

[Fact Sheet]

H.R. 5518, Department of Transportation and Related Agencies Appropriations Bill, Fiscal Year—1993 (H. Rept. 102-639)

The House Appropriations Committee reported H.R. 5518, the Department of Transportation and Related Agencies Appropriations Bill for Fiscal Year 1993 on Wednesday, July 1, 1992. The bill is scheduled to be considered by the full House on Thursday, July 9, 1992, subject to a rule being adopted.

COMPARISON TO THE 602(b) SUBDIVISION

The bill provides \$12,499 million of discretionary budget authority, \$301 million less than the Appropriations 602(b) subdivision for this subcommittee. The bill provides \$33,375 million of discretionary outlays, which equals the discretionary outlay subdivision for this subcommittee. A comparison of the bill with the funding subdivisions follows:

	[In millions of dollars]					
	Transportation and related appropriations bill		Appropriations committee 602(b) subdivision		Bill over (+) under (-) committee 602(b) sub-division	
	BA	O	BA	O	BA	O
Discretionary	12,499	33,375	12,800	33,375	-301	
Mandatory ¹	564	566	564	566		
Total	13,063	33,941	13,364	33,941	-301	

¹ Conforms to the Budget Resolution estimates for existing law.
Note.—BA—New Budget Authority; O—Estimated Outlays.

The House Appropriations Committee filed the Committee's subdivision of budget authority and outlays on June 11, 1992 in House

Report 102-556. These subdivisions are consistent with the allocation of spending responsibility to House committees contained in House Report 102-529, the conference report to accompany H. Con. Res. 287, the Concurrent Resolution on the Budget for Fiscal Year 1993, as adopted by the Congress on May 21, 1992.

PROGRAM HIGHLIGHTS

Following are the major program highlights for the Department of Transportation and Related Agencies Appropriations bill for Fiscal Year 1993, as reported:

[In millions of dollars]

	Budget authority	New outlays
Department of Transportation:		
Coast Guard operations ¹	2,292	1,834
Coast Guard acquisition, construction and improvement	385	65
Reserve training ¹	24	22
Federal Aviation Administration:		
Operations	4,538	3,993
Facilities and equipment	2,460	492
Research and engineering	237	142
Airport improvement programs (obligation limit)	(1,800)	288
Amtrak	551	488
Northeast Corridor Improvement Program.		
Urban Mass Transportation Administration:		
Formula grants ²	755	487
Interstate transfer grants	75	2
Washington Metro	165	3
Discretionary grants (obligation limit)	(1,600)	32
Federal-aid highways: (obligation limit) ³	(14,440)	2,588

¹ Assumes transfer from Department of Defense of additional budget authority: \$156.6 million for operations and \$50.0 million for reserve training.

² Additional discretionary authority of \$1,065 million is also made available for total formula grant obligations of \$1,820 million.

³ Additional \$2.7 billion in obligations exempt from limit also available.

Mr. COUGHLIN. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the fiscal year 1993 transportation appropriations bill and I want to commend the chairman, Mr. LEHMAN, and the ranking member, Mr. COUGHLIN, for their hard work in crafting this bill. It is a bill that does address our Nation's infrastructure needs without violating, and I stress that word, the fiscal limitations that have made this appropriations cycle extremely difficult for every subcommittee.

Of course, not everyone is happy with this bill. Everyone, myself included, would like to have more funds to apply to roads mass and aviation. But this is a bill that balances competing interests for limited funds as well as honoring obligations from previous years. This is a bill that takes a balanced approach to the intermodal infrastructure system that is so critical to the economic well-being of our country and the quality of life for citizens.

To achieve this fairness and balance in tough economic times is testimony to the effective leadership of our chairman and ranking member, both of whom are bringing their last transportation bill to the floor today. I want to take this opportunity, Mr. Chairman, to salute Mr. LEHMAN and Mr. COUGHLIN for the effective, bipartisan way they have conducted the operations of the transportation subcommittee.

As has been observed in the minority, that is very important, because many times in this body the minority does

not get treated very fairly. Yet on this subcommittee, they do.

Mr. Chairman, I have been honored to serve on this subcommittee with this kind of leadership. Both of these gentlemen will be tough acts to follow.

I also want to commend all the members of the subcommittee for their willingness to work together to achieve this bill. I would be remiss if I did not express appreciation for the outstanding staff. There is not a finer subcommittee staff in the Congress, and I want them to know we appreciate their knowledge of the subject matter and their yeoman's work.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise to address a question to my good friend, the chairman of the subcommittee. In the 1989 Transportation appropriations bill, you and I worked together to get Long Beach Transit an exemption from the UMTA charter service rule. That exemption is enshrined in Public Law 100-457, section 330(a) which explicitly states, "Notwithstanding any other provision of law or regulation, the Urban Mass Transportation Administration charter service rule and any subsequent Federal regulations shall not apply to the Long Beach Public Transportation Company." Recently, the Federal Transit Administration has ignored this law and has forced Long Beach Transit to halt charter service, with the threat of the loss of Federal funding if they do not comply with FTA's dictates. I find FTA's actions outrageous as the law is perfectly clear on this matter. But in the search for absolute clarity, and to reverse FTA's actions, I ask you these questions. Is it your understanding that Long Beach Transit's exemption from the charter service rule is statutory law, notwithstanding the objections of FTA? Furthermore, is it your understanding that Long Beach Transit is also exempt from 49 CFR 604, subsection 604.9(b) which states that a public transit operator may provide charter service with UMTA funded equipment and facilities to the extent that there are no willing and able private charter operators?

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will yield, the gentleman from California is absolutely correct.

Mr. ANDERSON. Mr. Chairman, I thank the subcommittee chairman very much for that clarification and for his help. I compliment him on his leadership on this bill, especially considering the difficult fiscal situation. It has always been an honor and a pleasure to work with the gentleman.

□ 1240

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from

New Jersey [Mr. GALLO], a member of the committee.

Mr. GALLO. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise for the purpose of entering into a colloquy with the gentleman from Florida [Mr. LEHMAN].

Mr. Chairman, as the gentleman knows, I offered an amendment during full committee markup on this bill to freeze the salaries of FAA employees who are responsible for Federal air noise policies until the FAA releases its mandated environmental impact statement on air noise over northern New Jersey and the tristate area.

Although my amendment was not included in this legislation, I want to take this opportunity to thank you, and my colleagues on both sides of the aisle for understanding my strong feelings concerning the importance of gaining FAA cooperation in our 5-year fight against aircraft noise in the skies over northern New Jersey.

The problem has gone on for too many years without a viable solution coming from the FAA.

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. GALLO. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. Chairman, I thank the gentleman for his kind words, and appreciate his frustration with the delays that he has experienced. I know the gentleman would not offer an amendment of this type unless he felt that he had exhausted all other avenues in his efforts to resolve the situation.

Mr. GALLO. That is correct, Mr. Chairman. The people of New Jersey have been looking for a reduction in air noise levels since 1988, when the FAA changed the traffic patterns over our area without taking into account the impact that these changes would have on our area.

In 1990, Congress required a study, which was to have been completed in May 1991. We are still waiting for that report.

Given the continuing delays, Mr. Chairman, may I solicit the gentleman's support for our continuing efforts to solve this problem, if these delays continue?

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will continue to yield, I understand the gentleman's concern, and I stand ready to work with him to push for an appropriate and timely resolution to this longstanding item of concern to the people of New Jersey.

Mr. GALLO. Mr. Chairman, I thank the gentleman for his understanding of our situation and his cooperation. I have no further questions.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. CARR].

Mr. CARR. Mr. Chairman, I thank the gentleman for yielding time to me,

and I want to associate myself with the remarks of the gentleman from Virginia [Mr. WOLF] regarding the work that has been done by our distinguished chairman and ranking member.

I do not think the Congress or the country for that matter fully appreciates the time and effort that these two gentlemen, in particular, assisted by our able staff, have put into putting this bill together.

The meetings and the hearings were long, but outside the hearing room, we know that there were many other meetings, visits by people from all over the Nation, visits by Members of Congress to their offices, trying to do what is best for the transportation of the country.

A lot of that focused in the offices of the gentleman from Pennsylvania [Mr. COUGHLIN] and the gentleman from Florida [Mr. LEHMAN]. So they made our job very easy, and we are in their debt.

I would also just like to say, Mr. Chairman, that in the past several years there is a new buzzword in transportation, "intermodalism." And we talked about it a lot in the last few transportation authorization bills, last year in the IST bill in particular. The word "intermodal" was one of the most frequent words in the entire debate.

I would just like to remind our colleagues that this committee, this Appropriations Subcommittee on Transportation, in fact, is really the only truly intermodal committee in the Congress of the United States. We have good friends and able leadership on all the authorizing committees that we work with.

Airways and highways are authorized out of the Committee on Public Works and Transportation. Railways are authorized out of the Committee on Energy and Commerce. The maritime and Coast Guard is authorized out of the Committee on Merchant Marine and Fisheries. Commercial space and the various modes of research and development is authorized out of the Committee on Science, Space, and Technology. But when it comes to money and when it comes to allocating the country's scarce resources, this is the only committee where all the modes are in the jurisdiction of one committee.

That makes our job very tough because our authorizing committees set very high standards, many of which we agree with, in charting a course for America and its transportation needs.

Nonetheless, our friends in the authorizing committees are spared the difficult duty of trying to prioritize between the modes, trying to figure out how efficiently to spend the money between highways, transit, airways, railways, waterways, and research and development.

The prioritization of all of these competing demands comes to rest before

the Appropriations Subcommittee on Transportation, the only committee in the Congress that has that jurisdictional responsibility. As a result, particularly in these tough budgetary times, with allocations which are conservative, to say the least, we have not been able to meet the demands of our friends in the authorizing committees. We are going to hear some amendments from some members of those committees here on the floor later on in the day.

We would plead with our colleagues throughout the Congress to support the work of this committee. We have tried to be fair. We have looked at the intermodal needs of the country.

□ 1250

We have tried to be fair. We have tried to do what is in the best interest of all America, not segmented pieces of the transportation system, so we plead with the colleagues now throughout the country to support this bill.

One final and very quick word. There are going to be a number of amendments on specific projects. I would like to just have the RECORD show that there were a lot of projects proposed to this committee. This committee looked at those individual projects with a great deal of care. We took testimony. We did investigations. We did research. While some of the projects may be criticized, and it is valid for any Member to amend to try to delete those projects, we support those projects. I would support them by saying that for every project that made it into the bill, there were 10 or 20 projects which we found lacking.

This committee has done its stewardship in trying to bring to the committee a bill that is fair and can be substantiated.

Mr. COUGHLIN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Indiana [Mr. MYERS], the second-ranking member on the Committee on Appropriations.

Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. COUGHLIN] for yielding time to me.

Mr. Chairman, I compliment both the chairman and the ranking member, the gentleman from Pennsylvania, as well as members of the committee for bringing as good a bill as is possible under these conditions. As has already been expressed, we all realize the budgetary restraints that the entire Committee on Appropriations has worked under this year. It has made it really difficult.

I particularly have had discussion both with the chairman and with the gentleman from Pennsylvania [Mr. COUGHLIN] about a problem in Indianapolis with the Indianapolis airport. The Indianapolis Airport is built on Interstate 465, which is the beltway around Indianapolis. Traffic going into

the airport and out of the airport has to come off of this very high-density, congested area. It is becoming an increasing safety hazard.

Recognizing this, Indianapolis Airport Authority has engaged in a study how they might remedy this. The recommendations have come up, and it has been approved, to move the terminal to the other end of the airport, away from this congested area off of I-465. The entry would have to be off of Interstate 70 about 2 miles west of the present location, which would necessitate some expense, of course, to the Federal Government as well as the State of Indiana and the city of Indianapolis to locate an access off of I-70.

I realize this year it is just impossible for this committee to fund this and I compliment again the fine job the Members have done. A lot of good projects have been pushed aside. I realize we just did not have the money. The only thing I am asking is that we be able to work with the subcommittee as we try to develop plans for the future and be able to relieve this hazard to the Interstate 465 and the city of Indianapolis and those who must drive continuously in this traffic, that we will be able to work together.

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. MYERS of Indiana. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. Chairman, I thank my friend, the gentleman from Indiana, for yielding to me.

Mr. Chairman, myself and our subcommittee are well aware of the congestion problems at the Indianapolis Airport, and we are just sorry that our limited budget prevented this subcommittee from including funds for the new interchange in our bill. In fact, to the best of my knowledge we did not have any new highway demos in this bill that were not already underway. Nevertheless, let me say to the gentleman that I am prepared to listen to him and other parties in advance of construction of the new I-70 interchange. If people cannot get to the airport, they cannot fly.

Mr. MYERS of Indiana. Mr. Chairman, I thank the chairman, and I yield to my friend, the gentleman from Pennsylvania [Mr. COUGHLIN].

Mr. COUGHLIN. Mr. Chairman, I thank the gentleman for yielding time to me. The gentleman has been very diligent in representing his great State and in bringing these matters to our attention. We want to work with him in any way that we can, as we have in the past. We will continue to do that in the future.

Mr. MYERS of Indiana. Mr. Chairman, I thank each of the Members for their cooperation in the past on so many projects that we have worked together on. If there is any place that we should not or could not afford to cut for the infrastructure, this is it. This

committee has given through the years attention to the transportation needs of our country. This is the last place, looking to the future, which we should reduce. However, realizing that we had no choice, I compliment the Members, and I thank them for their testimony.

Mr. LEHMAN of Florida. If the gentleman will continue to yield, I would ask him, is everything all right in Terre Haute?

Mr. MYERS of Indiana. It was when I left it last. I will be back there tomorrow.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today in support of H.R. 5518, the Department of Transportation and related agencies appropriations bill for fiscal year 1993.

This bill is a testimony to the strength and ability of our chairman, Mr. LEHMAN. He is an outstanding chairman, and I am honored to have had the opportunity to work closely with him. We will miss him on the subcommittee next year, but he will leave a legacy of good work in Congress and for the country.

We also will miss LARRY COUGHLIN. He has been a good defender of the administration's priorities and interests, but he has also been fair and willing to work with Members from the other side of the aisle. Both LARRY and BILL have made the subcommittee a very good and productive place to work.

I also want to thank the staff of this subcommittee. Tom Kingfield, Rich Efford, Linda Muir, and Zee Latif, are a very talented and professional group of staffers, and I have enjoyed working with them. I also want to thank Lucy Hand of Chairman LEHMAN's staff, who is of great assistance to members of the subcommittee.

This bill is one of the most important bills we will have before us in this Congress because of its direct impact on our Nation's economic competitiveness. This bill provides the funding necessary to maintain and improve our Nation's infrastructure, which is critical to our continued economic prosperity. I am especially pleased that the bill responds to the needs of large urban areas and interurban areas like the research triangle area of North Carolina which are growing rapidly and face the challenge of minimizing traffic congestion, meeting clean air standards, and planning intelligently for the future.

Safety is also a primary concern of this subcommittee, and we have taken steps to make certain that travel, whether by car, rail, or air, is made safer. Research on important safety questions as well as enhanced facilities and equipment will help protect every American who is traveling.

This bill has not been crafted easily. Our subcommittee faced severe constraints this year, and this is reflected in reduced funding levels from FY92 for the Federal Highway Administration, the Federal Railroad Administration, and the National Highway Traffic Safety Administration. In general, we worked to minimize the damage to any one agency, making tough but fair cuts and ensuring that each agency could perform its critical functions.

I would also point out to Members that the subcommittee cut the Office of the Secretary by more than \$9 million from the President's request and about \$1 million below the fiscal year 1992 level. The subcommittee has already responded, then, to the concerns that many Members have expressed about the Administration's ever-increasing appetite for headquarters pencil-pushers and bureaucrats. In particular, our bill cuts or eliminates travel, overhead costs, and free fitness facilities from the President's request. It is a very responsible package.

I urge my colleagues to support this bill. It is a well-crafted and balanced bill and deserving of every Member's support.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DELAY], a member of the Subcommittee on Transportation of the Committee on Appropriations.

Mr. DELAY. Mr. Chairman, I thank the ranking member of the Subcommittee on Transportation for yielding this time to me.

Mr. Chairman, I rise in support of the Transportation appropriations bill for fiscal year 1993.

I would just like to say at the outset that we will miss two of the finest gentlemen that have ever served this committee. My chairman, the gentleman from Florida [Mr. LEHMAN] and my ranking member, the gentleman from Pennsylvania [Mr. COUGHLIN] will be sorely missed. The work these two gentlemen have put into this bill and their efforts over the years have many times been a very thankless job, but I believe that this Nation's transportation system is better off because of the efforts of these two gentlemen. They might be leaving, but they certainly will not be forgotten.

Mr. Chairman, last year during this same exercise I took the floor, oddly enough, in opposition to a transit project that was in my own district. The Houston monorail was a project that in my opinion would have strapped onto the backs of my constituents a financial burden that was simply unacceptable. The city was not united in support of this monorail project, nor were the State and local politicians. Most importantly, the people were not behind this major undertaking.

Since that time, and in just a matter of a few short months, the city of Hous-

ton has developed a strong consensus from all sides on a regional mobility plan including a comprehensive regional bus plan program. As a result of this support, the committee approved the release of Houston's previously earmarked funding for this project in 1993.

As the Federal Transit Administrator, Brian Clymer, has stated during hearings earlier this year, Houston is the leader in mass transportation and intelligent vehicle highway systems. They serve as a model for the rest of the Nation. I could not agree more. Houston has the most technologically advanced traffic management programs, has more enhanced city street maintenance programs, neighborhood infrastructure systems, such as hike-and-bike trails and street and sidewalk improvements, than any other city in America.

As the members can tell from that list of transportation programs, Houston addresses its transportation efforts in a very comprehensive manner. All of the projects are designed to support this core bus system and improved vehicular and pedestrian mobility.

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They do not just look at one problem area and try to fix it with a Band-Aid. It is this comprehensive philosophy that has enabled Houston to provide the best service for the lowest cost, and I commend their efforts.

Mr. Chairman, I just want to say I am one who opposes the already discussed Obey amendment. I think it is very unfortunate that this amendment is going to be considered to this bill. I think Members ought to seriously look at the Obey amendment and consider what is in the bill for them, because I feel that the President will veto this bill if the amendment passes.

Other than that, I support this bill and I urge my colleagues to do so.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. SABO], a member of the subcommittee.

Mr. SABO. Mr. Chairman, I just want to rise in support of this bill and to pay my compliments to the chairman and ranking member. They have been two outstanding Members to work with for the last 14 years. They take a bill that requires lots of choices and where one has to set lots of priorities and they do an exceptional job in guiding this bill through the committee and to the floor. There are lots of good provisions in here and I want to simply say thank you to both of them, and it is a good bill.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I rise in favor of the bill and in the hopes that we can do more for programs of truck safety.

Mr. Chairman, I rise in support of the Transportation appropriations bill for fiscal year

1993. Residents in the Washington Metropolitan area will experience less traffic congestion and improved air quality in the region thanks to metro funding provisions in the bill. I thank the committee members who had the difficult task of deciding which requests to fund.

I do have a reservation, however, about the reduction in funding for the Federal highway safety grant programs. I understand that funding for many domestic discretionary programs will be reduced in fiscal year 1993, but a 24-percent reduction in Federal nonconstruction highway safety grant programs is a disproportionately large amount. Many States, facing financial problems of their own, will not be able to replace the lost Federal highway safety grant moneys.

A major part of these safety grant programs is the section 402 State and Community Highway Safety Grant Program. Section 402 is a national program in which funds are allocated to every State for use in addressing a wide range of highway safety issues. The 402 program has been a major contributor to the decline in the Nation's motor vehicle-related fatality rate over the last decade while the number of licensed drivers, registered vehicles, and vehicle miles of travel have all substantially increased.

States can use their 402 grants to fund traffic records programs; bicycle, motorcycle, and pedestrian safety programs; enforcement programs; and roadway safety programs. The Surface Transportation Act also required States to use 402 grants for school bus safety programs and speed enforcement programs.

Mr. Chairman, I urge conferees for the bill to develop a final version that funds the NHTSA portion of the 402 program at the fiscal year 1992 level of \$118 million. This amount in the bill is \$112 million, only \$6 million less, and yet, that small sum of \$6 million would go a long way to maintaining good State safety programs. I would hope that the Federal highway portion of the 402 grants be funded at a minimum of \$15 million. The 402 base programs have served us well. Let us continue to fund them adequately.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Chairman, I thank the distinguished chairman for yielding time to me, and I would like to take this time to engage the chairman in a colloquy.

Mr. LEHMAN of Florida. If the gentleman will yield, I would be glad to answer any questions the gentleman may have.

Mr. STOKES. Mr. Chairman, statistics show that every year about 80 percent of the fatal aviation accidents involve pilot error, yet not enough progress has been made toward discovering psychological factors that cause the pilots to make these errors. I understand that the committee increased funding for Federal Aviation Administration research into human factors and aviation medicine to \$27 million for fiscal year 1993, is that correct?

Mr. LEHMAN of Florida. The gentleman is correct. The committee fully funded the administration's request of

\$27 million for human factors and aviation medical research for fiscal year 1993.

Mr. STOKES. The Cleveland Clinic Foundation, in conjunction with Ohio State University and a prominent aeronautical university, has proposed a study which would develop a series of tests to determine the specific character traits that may make some pilots more prone to those errors in judgment, which can and do lead to accidents. It is my understanding that the Cleveland Clinic would need a total of \$3 million over 4 years to complete this study, of which \$500,000 in fiscal year 1993 would permit them to initiate the study. I understand that the committee would not object to this use of human factors research money.

Mr. LEHMAN of Florida. The gentleman is correct. I would encourage the FAA to consider providing \$500,000 in fiscal year 1993 for the Cleveland Clinic Foundation study, and would work with the gentleman toward that end.

Mr. STOKES. I thank the gentleman for his support for this worthwhile study, which will help identify and evaluate the psychological factors which lead to pilot error, and which may help save lives.

Mr. Chairman, I also want to join in saluting both the gentleman from Florida [Mr. LEHMAN] and the gentleman from Pennsylvania [Mr. COUGHLIN] for the great work they have done on behalf of this Congress.

Mr. LEHMAN of Florida. Mr. Chairman, I thank the gentleman.

Mr. COUGHLIN. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Chairman, today I rise in strong support of H.R. 5518, the Transportation appropriations bill for fiscal year 1993. This legislation contains many fine provisions, but there is one provision included in the bill which I would like to bring to my colleagues' attention.

This provision is a tunnel that would be constructed under the intercoastal waterway in Fort Lauderdale, FL, called the 17th Street Tunnel project. I am enthused that the Transportation Appropriations Subcommittee has included \$6.14 million in this bill for this much-needed project.

Because this project is of such great importance to the people of south Florida, there has been some controversy over whether a tunnel, a bascule bridge, or a fixed span would be the best replacement for the present obsolete structure. I strongly support a tunnel because the alternatives to a tunnel, a fixed bridge, or another bascule bridge, were shown by a Florida Department of Transportation study to be inadequate. A fixed bridge would have to be at least 85 feet high to conform with a Coast Guard directive. A bridge that height would still exclude

many vessels from entering the inter-coastal waterway, and would also destroy property values in that area. Additionally, the cost and the resultant destruction of land for construction of approach ramps leading to such a bridge makes a fixed bridge an unattractive option.

Another bascule bridge would have to be at least 65 feet high, and even at that height, studies have shown that the bridge would have to be opened almost as frequently as the present bridge. Additionally, a 65-foot bridge would encounter most of the problems associated with an 85-foot fixed structure. By the process of elimination, a tunnel was deemed the best long-term solution to the intolerable traffic problems now plaguing the 17th Street Causeway, the most heavily traveled bridge in Broward County. Finally, a July 7 editorial in the Miami Herald agrees with the assessment that a tunnel is the best option.

My colleagues may recall that this is the fourth year in a row that the House has included funds in its annual transportation bill for the 17th Street Tunnel project. Last year this project was included as part of the Intermodal Surface Transportation Efficiency Act (Public Law 102-240).

Although I am extremely gratified that this project finally seems to be coming to fruition, I am saddened that this will be the last transportation appropriations bill produced by the distinguished chairman of the Transportation Appropriations Subcommittee, Hon. BILL LEHMAN of Florida. Since becoming chairman in 1982, BILL has certainly left his mark on transportation policy in our Nation. Nowhere is this more evident than in our home State of Florida. Metrorail and People Mover are but some of the legacies of Representative LEHMAN's tenure as a Member of Congress that the people of Florida will long remember. Thanks to his strong support, and with the assistance of his able staff, especially Lucy Hand, I know that one day soon the 17th Street Tunnel will be added to that distinguished list. I hope I can convince BILL to come out of retirement for a day so he can help me cut the ribbon on this project when it is completed.

Mr. Chairman, although this year's budget is tighter than ever, my colleague from Florida and the subcommittee he chairs has once again crafted an excellent piece of legislation. I urge my colleagues to vote "yea" on H.R. 5518.

Mr. Chairman, I would like to express my thoughts to the committee and to the House as to my personal feelings with regard to the gentleman from Pennsylvania [Mr. COUGHLIN], and of course, my good friend the gentleman from Florida [Mr. LEHMAN], chairman of the subcommittee. They are definitely going to be missed. We have had such a responsible Appropriations Sub-

committee under the head of both of these gentlemen throughout the years, and I want to express my personal gratitude, particularly to the gentleman from Florida [Mr. LEHMAN] for helping so much through the years in the Congress passing responsible legislation to take care of many of the transportation needs of south Florida. My hat is off to both of these gentlemen, and my gratitude goes to them for their help during these periods of time.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. ALEXANDER], a member of the Committee on Appropriations.

Mr. ALEXANDER. Mr. Chairman, I thank the gentleman for yielding time to me and compliment the leadership of the gentleman from Florida. It has been a pleasure working with him over these years. As he knows, I was once a member of this subcommittee.

Mr. LEHMAN of Florida. If the gentleman will yield, for too short a time.

Mr. ALEXANDER. I have followed the subcommittee right along.

Mr. Chairman, I would like to engage in a colloquy with you on two projects that are pending in my home State. One is the DeValls Bluff bridge across the White River which is an extension of U.S. Highway 70. It is my understanding that this project in the bill last December, the so-called ISTEA bill authorized the construction of a replacement bridge across the White River at DeValls Bluff, and that money is in progress with which to begin planning and design for that replacement, is that correct?

Mr. LEHMAN of Florida. The gentleman is correct. The projects are in progress, and they are good projects, and I would like to see them happen.

Mr. ALEXANDER. Another project that is very important to our continued progress in the northeast region is the completion of the construction of three overpasses across the U.S. Highway 63 bypass on the south side of Jonesboro, AR. It is my understanding that the authorization bill authorizes three projects, and that the funding is in progress, is that correct?

Mr. LEHMAN of Florida. The gentleman is correct.

Mr. ALEXANDER. I thank the gentleman.

Mr. Chairman, I rise in support of this bill providing funding for the investments in transportation which are essential to our Nation's economy and future. This is an economic development bill. It will help provide jobs for Arkansians and other Americans. It will help Arkansas and American businesses and industries compete in the national and international economy.

This is a good bill. It deserves the support of the House.

This bill has been accomplished through the leadership of our Approp-

riations Subcommittee on Transportation chairman, the gentleman from Florida [Mr. LEHMAN]; the ranking minority member, the gentleman from Pennsylvania [Mr. COUGHLIN] with the support of the subcommittee's outstanding staff.

Funding which would be provided under this bill is crucial to efforts to modernize the Nation's transportation infrastructure. It is a key to achieving the revitalization of the economy in communities, towns and cities across Arkansas and the Nation.

Our Nation's transportation network is essential to the operations of the businesses and industries which provide jobs to millions of Arkansas and American workers.

Without transportation, businesses and industries do not get the materials they need to produce U.S. products and services. And, without transportation they cannot move the products of American workers to market.

Two examples of the critical importance of the funding in this bill can be found in two projects in Arkansas' First Congressional District. One is at DeValls Bluff and the other is at Jonesboro.

The project at DeValls Bluff would replace the U.S. Highway 70 bridge over the White River. Federal participation in this project was authorized late last year when the Congress passed the Intermodal Surface Transportation Efficiency Act of 1991. Funding in this bill can be used to get this project underway.

The current bridge was built in 1922. It was rated functionally obsolete in 1988. Twice since 1972 it has been closed for extended periods. Many drivers must use it on a daily basis.

The bridge has additional national importance because this U.S. Highway 70 bridge over White River in rural Arkansas is the alternate route for users of Interstate 40, a vitally important east-west route across our State and Nation.

If I-40 is closed for any reason, or use is substantially restricted, travelers must use the U.S. 70 route, or make substantial detours at significant costs in terms of dollars and time.

Developing States like Arkansas need capital investments to improve transportation links in the national transportation system. Instrument landing system improvements at the Jonesboro Regional Airport and completion of the U.S. Highway 63 bypass overpasses are important to future development. These capital investments are essential for economic growth, job development, and continued progress.

Late last year, as a part of the Intermodal Surface Transportation Efficiency Act of 1991, the Congress authorized continued Federal participation in the construction work on the U.S. Highway 63 bypass overpasses. Funding in today's transportation ap-

propriations bill can be used to push these overpasses forward.

Jonesboro is a regional economic center. U.S. Highway 63 is a critical part of the local, regional, and national transportation system. Increasing usage of the highway bypass has stretched to the limit its capacity for safely moving vehicle traffic. Completion of the overpasses is needed to improve the efficiency of the highway and reduce the frequency of and potential for traffic accidents.

In the last 10 years about \$350 million in Federal transportation funds have been invested in projects in Arkansas' First Congressional District which I represent. These funds have been indispensable to economic development in this region.

Congresses provided these funds at the same that they were appropriating less than Presidents requested. In fact, in the last 23 years, Congresses have appropriated \$93.8 billion less than Presidents wanted.

I urge that the House approve this appropriations bill.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, today I rise in support of H.R. 5518. This bill includes funds that will help Chicago residents by improving roads and in the building of the downtown circulator light-rail project that we so badly need.

However, I do have some serious concerns about the cavalier manner in which the Federal Transit Administration has monitored the grantees in region V. In 1989 I asked the GAO to investigate the FTA's management of Federal funds in that region, which is headquartered in Chicago, and whose biggest grantee is the Chicago Transit Authority.

What they found was appalling. The FTA has provided very-poor-to-non-existent oversight of the taxpayers' money spent in region V. This has resulted in fraud, waste, abuse and mismanagement of Federal funds; as well as a gross underserving of the transportation needs of senior citizens, and especially of workers who must travel through this megalopolis in order to find employment and/or to keep their jobs.

Among other things, the GAO found that: First, the Chicago Transit Authority had \$800 million in unspent funds, second, they had an inadequate inventory of bus parts and third, were paying unnecessarily high amounts for capital projects.

Other glaring abuses found by the GAO and other Federal agencies that were due to the lack of FTA oversight, range from some questionable personnel policies at the highest level, to bidding and to the CTA's knowingly

giving contracts to unqualified vendors.

The real losers from the waste and mismanagement afforded by the FTA's lax oversight are the American taxpayer, Chicago and suburban commuters and mass transit users. Mr. Chairman, at the same time that the Chicago Transit Authority had millions of dollars in unspent capital funds, they threatened to close down the Lake Street elevated train line, which is a major transportation artery for a large portion of urban Chicago as well as an important route for suburban commuters; and also attempted to increase fares and eliminate vital bus routes all in the name of cost control.

It is my understanding that the region V FTA Office is beginning to institute better management and auditing controls. I can only hope this is very true, because in these critical economic times when we are so concerned about getting a good return from every Federal dollar we spend, the American taxpayer deserves more for his money spent in Chicago and its suburbs. The Federal Transit Administration must do a much better monitoring process in the future.

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Mr. LEHMAN of Florida. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, I want to commend the Transportation Subcommittee for its work this year, and specifically commend the subcommittee for including report language on the National Wildflower Research Center in Austin, TX.

The National Wildflower Research Center is the leading institution in the United States for native plants. Throughout the country, with the help of the center's expertise, our highways are lined with beautiful wildflowers that liven up the road. Wildflowers do much more, however. They lessen the need for mowing along roads, which saves money on maintenance. They also reduce soil erosion and promote biodiversity. This approach makes planting wildflowers along our roads a money saver for the taxpayer.

While existing law sets aside one-quarter of a percent of highway landscaping funds for wildflowers, some States have been slow in using this money to plant wildflowers. This bill's report directs the Federal Highway Administration to work with States to develop guidelines to promote better roadside vegetation management, which would include expanded use of wildflowers.

Wildflowers lining our highways give us the unseen—but important—benefit of lower maintenance costs and less soil erosion. Let us also recognize the benefits we see: the great variety of wildflowers and collage of colors we see as we drive along the highways of our great and beautiful country.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the distinguished dean of our delegation, the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, this is a great bill. It is a bill that improves the quality of life for all Americans. It is a bill which helps industry and business in our country. I would say at this particular juncture of history, it is extremely important because it provides jobs in an era of time in which there is a great need for jobs.

So I hope we can even improve the legislation. I certainly favor this legislation.

But before I close, I would like to say that the main reason why I am speaking now is to pay tribute to a wonderful guy, BILL LEHMAN, who despite the fact of very serious illness, did not let it stop him, and he went ahead and did what he needed to do for his country and did it in a very magnificent and exemplary way. I think we are all in his debt. We all owe a lot to him for what he did against great adverse situations. He and the gentleman from Pennsylvania, both, epitomize integrity, thoughtfulness, concern for others, concern for our country, and I am very, very deeply grateful that we have had them through the years. I think they have left behind them a tremendous monument, in the wonderful things they have done for our country. I do not know of anybody who has done more.

Mr. MCDADE. Mr. Chairman, I want to congratulate and thank Chairman LEHMAN and the subcommittee's ranking Republican member, LARRY COUGHLIN, and all the members of the subcommittee for reporting a balanced bill under tight fiscal constraints.

The measure before us provides necessary funding to support, maintain, and expand our Nation's infrastructure. The bill contains a total Federal-aid highway obligation of \$17.1 billion. This vital appropriation means jobs for our citizens and improvements to a transportation system that is threatened by obsolescence.

The bill also provides \$9 billion for the Federal Aviation Administration, \$3.8 billion for the Federal Transit Administration, \$3.6 billion for the Coast Guard, and \$405 million for Amtrak.

The bill is within its 602(b) allocation for budget authority and outlays, and I fully expect the President to sign the legislation into law in its current form. Accordingly, I urge my colleagues to vote "aye."

Mr. Speaker, let me also recognize the fine efforts of the gentlemen from Florida and Pennsylvania, Mr. LEHMAN and Mr. COUGHLIN. These men have served in this body for 20 years and 24 years, respectively. They have served with honor and distinction. They have been great friends to transportation. Both men are leaving this institution at the end of this session. I hope that in their retirement they are able to travel across the Nation's highways and byways—that they made possible.

I wish them Godspeed—but I urge them to keep it below 55 miles an hour.

Mr. FAZIO. Mr. Chairman, I rise in strong support of this legislation. I also want to commend Chairman LEHMAN, the members of the

subcommittee, and the subcommittee staff for the outstanding job they did in crafting this bill under very tough circumstances.

As everyone knows, last year, Congress adopted overwhelmingly a 6-year reauthorization of our Nation's transportation programs. The Intermodal Surface Transportation Enhancement Act [ISTEA] established our spending priorities for rehabilitating, improving, and expanding our Nation's highways, roads, bridges, and mass transit systems. The subcommittee has made a very laudable effort to comply with this law with limited resources.

Unfortunately, we are unable to keep pace with the priorities established under the ISTEA legislation because of the enormous fiscal problems we face and because of the constraints imposed by the 1990 budget agreement. In fact, we are unable to even keep pace with the money we allocated for transportation in the current fiscal year. H.R. 5518 is \$370 million below the current year spending level. This funding reduction is a real cut in one of the few areas of Federal spending that has an undisputed and positive effect on our economy. Every economist agrees that investment in public infrastructure pays for itself many times over in greater productivity in the future.

I have long advocated an increase in our public infrastructure investment, and I am pleased that my colleague from Wisconsin, Mr. OBEY, will be offering an amendment to achieve this goal. The Obey amendment takes savings we made in our foreign assistance budget and applies that savings to creating jobs and improving transportation systems here at home. The Obey amendment will not add to the deficit and will create over 125,000 jobs for Americans. This is just the kind of boost our sluggish economy needs at this time, and I urge my colleagues to support the amendment.

Mr. Chairman, I would also like to highlight some specific initiatives in the bill that provide enormous benefits in northern California. H.R. 5518 includes \$4 million for right-of-way acquisition associated with a new bridge in Yuba City, CA. This bridge is a crucial part of planned highway expansion through Sutter and Yuba Counties. The right-of-way acquisition funding will enable the State and local governments to move this project along earlier than anticipated.

The bill also includes funding for an alternatives analysis for the new southern extension of light rail service in Sacramento. Additionally, the bill will jump start a new electric trolley bus system for Sacramento. The electric trolley bus will be a joint venture between the Sacramento Regional Transit District and the Sacramento Municipal Utility District. Electric trolley buses will help alleviate the air quality problems that the Sacramento area now faces by fielding cleaner running buses in the local transit system.

On the whole, H.R. 5518 is a fair and balanced bill. I commend Chairman LEHMAN and the ranking member, Mr. COUGHLIN, for their leadership on transportation issues. We will miss them both as they are retiring at the end of this year. I wish them both well in the future.

Mr. Chairman, I urge my colleagues to support the bill.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 5518.

This Member would like to direct commendations to the distinguished gentleman from Florida [Mr. LEHMAN], the chairman of the subcommittee, and the distinguished gentleman from Pennsylvania [Mr. COUGHLIN], the ranking member of the subcommittee, for their exceptional work in bringing this bill to the floor. This Member is very grateful for the support they have shown to Nebraska over the years and also for their overall efforts to improve the country's infrastructure. They have certainly made a positive difference in Congress and in this country and their tireless dedication will be greatly missed since they have chosen not to seek reelection.

This appropriations bill strikes an appropriate balance between dire concerns about the Federal deficit and transportation needs of the United States. The bill also reflects an emphasis on the overall needs of the Nation as well as addressing local and regional transportation issues and projects.

Specifically, this Member would like to thank the committee and subcommittee for recognizing and proposing to act upon the long-term need for a bridge between Newcastle, NE, and Vermillion, SD. For six decades, the prospect of constructing a bridge in the Newcastle-Vermillion area has enjoyed widespread support. An impressive coalition of community organizations, local governments, businesses, and individuals from both Nebraska and South Dakota has joined together in support of this bridge.

Such a bistate consensus is possible because the benefits resulting from the bridge's construction are so clear. These benefits include increased economic development, enhanced recreational opportunities, improved access to health care, and a reduction in transportation costs. Also, the construction of this bridge will improve the general quality of life for the area's residents by creating additional opportunities for higher education and cultural and social activities.

Due to the current lack of a bridge, communities in northeast Nebraska and southeast South Dakota—including Vermillion, SD, the location of the University of South Dakota—have remained isolated from each other despite their proximity. As a result, economic activity in the region has been hampered and labor and commerce options have been limited. Clearly, the completion of this bridge across the Missouri River will be a significant aid in attracting new businesses to the area.

This Member would also like to thank his distinguished colleague from South Dakota [Mr. JOHNSON] for his outstanding efforts and cooperation with this Member on behalf of this bridge project. The completion of this bridge will play an important role in facilitating an interdependence between communities in Nebraska and South Dakota and Mr. JOHNSON deserves recognition for the important role he has played in bringing this goal closer to reality. It has been a pleasure to continue the close and good cooperation on this and other bistate projects and issues.

This Member also wished to express his appreciation for the report language which urges priority status for grant applications for a number of airport projects including Nebraska City

and York, NE. This language is added to cause the Nebraska Department of Aeronautics and the Federal Aviation Administration to give priority to these projects in order to better ensure quality air service for these communities. This Member hopes that the agencies will take quite seriously this expression of legislative intent rather than repeating excuses why action cannot be taken expeditiously.

This Member would like to briefly explain the circumstances which necessitate this statement of proposed priority. Prior to construction of the airport in York, this Member made the case that the runway should be built of sufficient length to handle the company jets of businesses vital to the economic development of the area. This, however, was not approved by Nebraska's Department of Aeronautics. Now, year after year, the community's needs for such a runway is frustrated by a priority system which does not elevate this project high enough to receive approval.

Second, a higher priority is necessary for the Nebraska City Airport so that sufficient funds will be available for buying an FAA-approved parcel. The airport authority is currently unable to purchase the parcel due to an appraisal that was substantially higher than initially planned due to court challenges of the initial land appraisals. Without additional funds, the scope of the airport project and the air safety of the airport will be greatly and unacceptably limited. The current level of funds would require one runway to be a much shorter runway than will eventually be required. It would be causing the same mistake and inadequacies made when the York Airport was constructed.

Mr. Chairman, in conclusion, this Member urges strong support for H.R. 5518 and urges his colleagues to approve it.

Mr. GOSS. Mr. Chairman, I am here to defend the integrity of the budgetary firewalls, part of the so-called budget deal that I voted against 2 years ago. Make no mistake, the 1990 budget agreement was a grave error. We were promised that this agreement was the tool we needed to reduce the deficit; what we have seen over the past 2 years is that it was the tool the majority of Congress needed to justify raising taxes and increase spending.

Let's cut through the rhetoric and take a look at the numbers: In 1989, the year before the agreement was struck, the deficit stood at \$152 billion, down from 155 billion the previous year. Since then, the figure has rocketed upward, to \$220 billion, \$269 billion, and now to \$400 billion—and with no end in sight.

Given the history of the budget agreement, some may ask why I am supporting any part of it. The answer is simple and unoriginal, but bears repeating: The firewalls that were established between the three budget categories are now the only barrier preventing the majority of these two bodies from spending this country even further into debt. They are the last modicum of protection that the American taxpayers have against further encroachment on their pocketbooks.

Mr. Chairman, we have heard many members stand up in support of allowing this temporary breach of the budget agreement. We have heard the usual rationalization for excessive spending, namely: Jobs for the American

worker. Behind the scenes, lobbyists and interest groups have been hard at work trying to convince me to sell out my principles and my constituents for a promised \$77 million aimed in the general direction of the State of Florida.

There's no doubt that Florida deserves an increased share of the Federal pie—especially when it comes to transportation dollars—our State holds the dubious honor of being 56th out of the 56 State and territorial tax entities in terms of return on our tax dollars. Many of my colleagues will remember how hard this Member and our entire delegation fought to change the unfair and discriminatory funding formulas that leave Florida in the donor-State rut year after year after year, despite our size and tremendous growth. We fought and we lost—and we will continue fighting to bring fairness back into the system.

But we will not be bought off. Yes, Florida deserves more Federal highway funds, but not at the expense of all budget constraint and responsibility. This Congress has proven over and over that it is incapable and unwilling to curb spending—to live within our Nation's means and to make tough choices. This amendment to break down the firewalls is just one more example of that trend.

I urge my colleagues to look beyond the short-term, short-sighted goals of the Obey amendment, and to reaffirm our commitment to jobs and security for the American people through sound fiscal policy, rather than the smoke-and-mirrors approach being considered today.

Ms. UNSOELD. Mr. Chairman, last year I supported the transportation appropriations bill even though it contained requirements that pilots be tested for drug use. For the last year, I have been intending to educate this body on the concept of performance testing in lieu of the invasive, humiliating requirement of drug testing.

Performance testing does not analyze urine, blood, or hair. A computer specifically measures proper neuromuscular response time and coordination based on the individual's normal reactions. The computer immediately registers impairment of any type, including emotional trauma, alcohol consumption, or drug use. With this program, employees could be tested when they report for work or a supervisor can pull a person from his or her job immediately—rather than waiting for the results of a drug test from a lab to be returned.

More lives can be saved and more of our constitutional protections against Government invasion salvaged with performance testing. While we do not have the option of voting for performance testing in today's bill, I urge my colleagues to explore with me how we can move away from the very false security of drug testing and toward performance testing.

Mr. RAHALL. Mr. Chairman, I rise in support of H.R. 5518, the transportation appropriations bill for fiscal year 1993.

Mr. Chairman, over the past year or more, the Committee on Public Works and Transportation worked intensely to fashion a reauthorization of the Federal-aid to Highways Program—the Surface Transportation Act—addressing the transportation infrastructure needs of this Nation.

Known popularly as ICE-TEA, the Intermodal Surface Transportation and Efficiency

Act enacted into law in December last year, held out the only hope of getting funds down to the States that would, in absolute effect, create millions of jobs. For every one of the \$151 billion authorized, 50,000 jobs could be created, if the bill is fully funded over the next 6 years.

Mr. Chairman, I know how difficult it was for you to try to find a sufficient amount of money in our budget to adequately fund necessary transportation and transit programs under pay-as-you-go budgetary requirements.

I wholeheartedly support the Obey amendment which, technically, takes down the firewalls in the 1990 budget agreement, and I can do so with impunity since I voted against the 1990 budget summit agreement that put up firewalls in the first place.

As we worked long nights and weekends putting ISTEA together late last year, the unemployment situation was worsening, and we were still deep in the recession. Now, today, while we make an effort to secure additional, desperately needed funds for ISTEA, unemployment has risen once again to the highest rates since the recession began.

ISTEA, Mr. Chairman, is and always was, in the words of our esteemed subcommittee chairman NORMAN MINETA, a jobs bill. That is what it was intended to be, and it is the only such bill this Congress has thus far produced that can, and will if funded, give States and localities the chance to create jobs, put people to work, and help provide millions of unemployed with the dignity of a paycheck and a quality life that has been too long deferred.

Mr. Chairman, I strongly support the amendment offered by the gentleman from Wisconsin [Mr. OBEY], as a substantive measure to use decisions already made by the House on foreign aid to allow additional investment in American infrastructure and jobs.

The amendment does not come near to restoring the \$5.5 billion cut in funding in the appropriations bill as reported to the House, that figure representing a 23-percent cut in trust fund supported highway programs. But the amendment will give us \$2.5 billion—creating almost 250,000 new jobs. The amendment does not use new money. It is a tightly targeted use of the \$400 million in outlays that was cut by the House from the foreign operations appropriations for investment in our own Nation—boosting the economy from one end of this country to the other.

Just last year, the Federal Highway Administration reported that more than \$40 billion is needed simply to maintain our highways and bridges, our transit systems, in their current conditions.

Of the new dollars made possible under the Obey amendment, we will use 90 percent of the budget authority for the highway programs, and 10 percent for transit.

Mr. Chairman, let me once again convey to you my thanks and appreciation for the appropriations bill you have reported. No one, and least of all me, thinks that you could have done more under the circumstances, given the spending caps imposed on your subcommittee. You did the best you could and that was very good indeed.

H.R. 5518 as reported, increased the funding level for our State demonstration projects by 18 percent of the total costs of all such

projects. This is immensely important to my State and my district.

The bill as reported provides a total of \$3.789 billion for transit, an increase of some \$27.5 million more than in fiscal year 1992. During our committee's work on ISTEA, it was my privilege to have won approval of increases in allocations for section 9b and section 18, small urban and rural transit programs. Because my State suffered heavy losses in population under the new census counts, these increases in funding allocations have not yet shown up on the transit side in West Virginia, but I believe that, if we are able to continue even modest increases in transit funding over the next few years, my State's transit allocations will begin to improve. I hope so, because West Virginia has no large urban areas, which receive 85 percent of transit funds. Under ISTEA, I was able to get section 9b, small urban allocations, increased from 8.6 percent to 9.36 percent, and for section 18, rural, the increase went from 2.9 percent to 5.5 percent of appropriated funds.

In order for transit programs to work as envisioned under ISTEA we must consider the financial bind that States and localities find themselves in with regard to matching fund requirements. In an amendment to be offered today, and which I support, we will permit the FTA to waive State and local matching requirements for certain mass transit programs in fiscal year 1993. There is a requirement that these matching funds be repaid at a later date. This amendment will give State and local transit officials the breathing room they need to go forward with improved and upgraded transit services, without having to delay such projects because matching State and local funds are not available to trigger use of the Federal transit allocations.

Aviation programs under the bill, as reported, were given a total funding level of \$9.034 billion for the FAA, an increase of \$162 million from fiscal year 1992 levels.

Also under consideration today, Mr. Chairman, is an amendment requiring the FAA to issue regulations which establish specified time limits on the amount of time that airline flight attendants must be on duty, as well as minimum required rest periods. As a strong supporter of H.R. 14 which passed the House last August, I also strongly support adoption of this amendment. I commend the chairman of our Surface Transportation Subcommittee for bringing this matter up for consideration at this time.

Mr. Chairman, there will be an amendment offered today to shift any funds saved under the international—foreign—affairs function of the budget to deficit reduction, rather than for our use here at home to help stabilize the economy and create jobs.

It is good to keep in mind, and to remind our colleagues, that surface transportation programs are financed to a large extent by dedicated taxes, collected from highway users to improve the roads and bridges upon which they rely for business, for industry, for pleasure. If it were not for budget walls and pay-as-you-go, along with spending ceilings and caps throughout the 1990 budget agreement, perhaps we could obligate more of the trust funds to highways and transit, making the Obey amendment unnecessary.

Why can't we? Because the highway users who are paying an extra 5 cents per gallon at the gas pump in order to maintain and improve the transportation system they use and depend upon, have had one-half of that nickel arbitrarily taken away from its dedicated use, and placed in the general fund for deficit reduction instead of in the highway trust fund where it could do the most good. I have no need to stand on this floor today to hear demands that a mere \$400 million in foreign aid outlays should not be sent on transportation, when the House has already voted not to spend it overseas. The American people are kicking in 2½ cents on every gallon of gasoline they buy to help us reduce the deficit and I daresay every one of them would applaud our use of both foreign aid dollars and defense dollars, if they could, for domestic needs.

I would be remiss here, if I did not again thank our able Public Works and Transportation Committee chairman, BOB ROE, for his unstinting efforts last year to secure approval of a Nickel for America which allows us to be here today even talking about increased funding for our Nation's transportation needs. I applaud his courage in calling for the Nickel for America to help pay for the Nation's infrastructure needs.

The ISTEA was intended to obligate the trust fund surpluses to the greatest extent possible, to fund highway, bridge, and transit system improvements. It was understood that for every dollar authorized, jobs would be created and economic development would be assured.

I cannot stress too often that one of the major side effects of full and adequate funding for the highway bill is that it does, it will, create jobs—and this Congress must do something in that direction before it is too late. The only chance for job creation we have this year, and for the next 5 years, is to fully fund ISTEA. It's that simple, Mr. Chairman, for despite our calls for enactment of a jobs bill, we see nothing on the horizon that even comes close to what is possible under ISTEA.

I want to thank Chairman LEHMAN, for his valiant efforts to stretch the budget he was given to work with, and for doing so in a manner that, even with funding shortfalls, would have still made a big difference in our States and congressional districts with respect to creating jobs and boosting the economy nationally. I know that he used the dollars he was given in the best possible way, for I know that he takes seriously the mantle of responsibility he wears in the name of transportation year-in and year-out for these many years.

Mr. Chairman, I pause to pay tribute to you and the wisdom you have brought to the debate on highway development over the years. You have announced your retirement, and you will be sorely missed. I take this opportunity to tell you that your contribution to our Nation's transportation system is too enormous to put into words—but words won't be necessary for we will always remember and think of you each time we take to the roads and byways of this country. In the coming decades, we and our children and grandchildren will look upon the remarkable improvements in transportation we have achieved, made possible solely as a result of your able stewardship as chairman of the Transportation Appropriations Subcommit-

tee, it will be your name, Mr. Chairman, that comes most to mind. You have left us a great legacy, and we are grateful.

Mr. Chairman, I support H.R. 5518, and the Obey amendment, and I commend that gentleman, as well as the leadership of our Public Works and Transportation Committee, for their efforts to fashion this use of foreign aid funds so that all of America can benefit. I can think of no better or wiser use of foreign aid dollars, than their use here at home at a time when our people are in such great need.

I recommend this bill to my colleagues, urge their support, and hope that the bill do pass.

Mr. RAMSTAD. Mr. Chairman, I rise today in reluctant opposition to the transportation appropriation bill for fiscal year 1993.

Transportation appropriations bills are notorious for the level of pork barrel spending they include. Regrettably, considering our Nation's \$400 billion budget deficit and \$4 trillion debt, this bill is no different.

Some of the most notable pork projects in this bill include \$1 million for two bike paths in Florida, \$680,000 for a bypass in the Virgin Islands, \$800,000 for a transportation center in Missouri, \$4 million for a bridge linking Nebraska and South Dakota, \$3 million for an access ramp in New Jersey, and others. Funding for these parochial projects undercuts important programs through which States can apply funds flexibly to areas with greatest transportation needs.

In addition, this bill appropriates hundreds of millions of dollars for light rail and other mass transit projects from Baltimore to Dallas to Honolulu. The \$640 million funded and earmarked by the bill will be spent on projects that have not been thoroughly reviewed and properly analyzed.

For example, the bill would provide \$18 million for a Seattle-Tacoma commuter rail project for which an alternatives analysis has not been initiated and which appears to compete with high-occupancy-vehicle lanes and a rail system proposed for the same traffic corridor.

Mr. Chairman, I don't dispute the merit of every single project I have noted, but I reject the method by which they were inserted into the bill by the committee, without careful consideration and without regard to their costly impact on the already serious fiscal crisis facing our Nation.

Mr. Chairman, H.R. 5518 punctuates this body's inability to move away from politics-as-usual. Just last month, Congress rejected a balanced budget amendment, with opponents arguing that constitutional action was unnecessary because the deficit crisis could be solved with congressional discipline. They contended that a constitutional amendment would delay action, when immediate action was desperately needed.

This pork-filled bill demonstrates the emptiness of this argument. Passage of this bill is another example of the continuing lack of fiscal discipline and dedication on the part of Congress to taking action on the deficit.

Mr. Chairman, it is time for Congress to start making tough decisions, replace smart politics with good policy, and vote against a bill that could cut more spending and lift some of the excessive burden from American taxpayers. I urge my colleagues to reject H.R. 5518.

Mr. RICHARDSON. Mr. Chairman, today I rise to express my strong support for the fiscal year 1993 transportation appropriations bill. I commend my colleague, Chairman WILLIAM LEHMAN, for his hard work and dedication in putting forth a strong appropriations bill that will go a long way in supporting, expanding and improving our Nation's infrastructure. I think it is also appropriate to point out that, in these current economic times and budgetary constraints, that this legislation falls within the caps set by the 1992 budget agreement.

I am particularly pleased that funds have been provided to implement mass transit programs in both Santa Fe and Rio Rancho, New Mexico. It is vital to our Nation's economy that we work to link our urban and rural areas together. The funding provided in this legislation will greatly benefit the citizens of New Mexico by making programs and services more accessible. Additionally, funds have also been provided to assist both the Santa Fe Airport and the Albuquerque International Airport. This funding is important for improvements in safety and services for New Mexico's residents and visitors.

These and other provisions included in this legislation provide much needed improvements to New Mexico's roads, highways, and airports. Mr. Chairman, this legislation is critical for the residents of my district, the State of New Mexico and our Nation's infrastructure. I urge my colleagues to support it.

Mr. AUCOIN. Mr. Chairman, I rise in support of H.R. 5518 and I urge my colleagues to support this bill. I want to express my appreciation to the members and staff of the Transportation Appropriations Subcommittee for their outstanding work on this bill. As a former subcommittee member, I know from personal experience that the subcommittee works very hard at a demanding job.

I want to commend Chairman BILL LEHMAN, who is quite simply a model chairman—dedicated, diligent, and fair. I value his friendship and I have the highest respect for his efforts to defend sound transportation policies throughout the 1980's and 1990's. His work on transit issues has been very important to the entire nation and to my home city of Portland.

Portland is justifiably proud of its MAX light rail system, which has been a spectacular popular success since it opened in 1987. BILL LEHMAN is one of the heroes of this story because of his strong support for the Federal Transit Program and his help for MAX on appropriations bills going back to 1981. Mr. Chairman, thank you. The House and the Nation will miss you.

One of the subcommittee's strengths has been the close relationship between Chairman LEHMAN and LARRY COUGHLIN, the ranking Republican. I am also grateful for Mr. COUGHLIN's help and friendship over the years.

Finally, my thanks to Tom Kingfield, Rich Efford, Linda Muir, and Lucy Hand for their work.

Mr. COUGHLIN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. LEHMAN of Florida. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, unless otherwise specified in House report 102-659, debate on each amendment to title I or title II of the bill, and any amendments thereto, shall be limited to 20 minutes.

It shall be in order to consider the amendments printed in House Report 102-659. Each amendment may be offered only the proponent or a designee, shall be considered as read, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment and shall not be subject to a demand for a division of the question.

The amendments specified in House report 102-659 to be offered by the gentleman from Minnesota [Mr. OBERSTAR] and the gentleman from Wisconsin [Mr. OBEY] may be considered en bloc.

The Chairman of the Committee of the Whole may recognize for the consideration of the amendments printed in part 1 of the report a proponent at any time, but not sooner than 1 hour after the floor manager of the bill announces from the floor a request to that effect.

The amendments printed in part 1 of the report shall be considered in the order printed. If both of the amendments numbered 1 and 2 printed in part 1 of the report are adopted, only the second to be adopted shall be considered as finally adopted and reported to the House.

The Clerk will read.

The Clerk read as follows:

H.R. 5518

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1993, and for other purposes, namely:

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, \$1,435,000.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, \$427,000.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$7,140,000.

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Policy and International Affairs, \$9,080,000.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

For necessary expenses of the Office of the Assistant Secretary for Budget and Pro-

grams, \$2,921,000, including not to exceed \$40,000 for allocation within the Department of official reception and representation expenses as the Secretary may determine.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, \$2,340,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, \$31,268,000, of which \$3,668,000 shall remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR PUBLIC AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Public Affairs, \$1,546,000.

EXECUTIVE SECRETARIAT

For necessary expenses of the Executive Secretariat, \$965,000.

CONTRACT APPEALS BOARD

For necessary expenses of the Contract Appeals Board, \$636,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$1,520,000.

OFFICE OF ESSENTIAL AIR SERVICE

For necessary expenses of the Office of Essential Air Service, \$1,545,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

For necessary expenses of the Office of Small and Disadvantaged Business Utilization, \$953,000: *Provided*, That, notwithstanding any other provision of law, funds available for the purposes of the Minority Business Resource Center in this or any other Act may be used for business opportunities related to any mode of transportation.

OFFICE OF INTELLIGENCE AND SECURITY

For necessary expenses of the Office of Intelligence and Security, \$1,265,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, and development activities, including the collection of national transportation statistics, to remain available until expended, \$3,025,000.

OFFICE OF COMMERCIAL SPACE TRANSPORTATION

OPERATIONS AND RESEARCH

For necessary expenses for operations and research activities related to commercial space transportation, \$4,364,000, of which \$1,200,000 shall remain available until expended: *Provided*, That, notwithstanding any other provision of law, there may be credited to this account up to \$300,000 received from user fees established for regulatory services.

POINT OF ORDER

Mr. BROWN. Mr. Chairman, I make a point of order with regard to the language at line 24 on page 4 and continuing to line 2 on page 5, that it constitutes legislation in an appropriation bill and is in violation of clause 2 of rule XXI.

The CHAIRMAN. Does the gentleman from Florida [Mr. LEHMAN] desire to be heard on the point of order?

Mr. LEHMAN of Florida. Mr. Chairman, the gentleman is correct, and the subcommittee concedes the point of order.

The CHAIRMAN (Mr. BOUCHER). The point of order is conceded and sustained.

The Clerk will read.

The Clerk read as follows:

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund not to exceed \$94,000,000 shall be paid, in accordance with law, from appropriations made available by this Act and prior appropriations Acts to the Department of Transportation, together with advances and reimbursements received by the Department of Transportation.

PAYMENTS TO AIR CARRIERS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for payments to air carriers of so much of the compensation fixed and determined under section 419 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1389), as is payable by the Department of Transportation, \$38,600,000, to remain available until expended and to be derived from the Airport and Airway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs in excess of \$38,600,000 for the Payments to Air Carriers program in fiscal year 1993: *Provided further*, That none of the funds in this Act shall be available for service to communities not receiving such service during fiscal year 1991, unless such communities are otherwise eligible for new service, provide the required local match and are no more than 200 miles from a large hub airport: *Provided further*, That none of the funds in this Act shall be available to increase the service levels to communities receiving service unless the Secretary of Transportation certifies in writing that such increased service levels are estimated to result in self-sufficiency within three years of initiation of the increased level of service.

AMENDMENT OFFERED BY MR. SABO

Mr. SABO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SABO: Page 6, line 2, strike "provide the required local match and are no more than 200 miles from a large hub airport:" and insert "and provide the required local match:".

Mr. SABO. Mr. Chairman, the amendment simply makes technical corrections in the essential air service. It does not increase the funding in the program.

Mr. LEHMAN of Florida. Mr. Chairman, the chairman of the subcommittee has no objections to this amendment. We accept the amendment as far as the Chair is concerned.

Mr. COUGHLIN. Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. SABO].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RENTAL PAYMENTS

For necessary expenses for rental of headquarters and field space and related services assessed by the General Services Administra-

tion, \$111,970,000: *Provided*, That of this amount, \$16,225,000 shall be derived from the Highway Trust Fund, \$29,887,000 shall be derived from the Airport and Airway Trust Fund, \$481,000 shall be derived from the Pipeline Safety Fund, and \$16,000 shall be derived from the Harbor Maintenance Trust Fund.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of direct loans, \$300,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$7,500,000. In addition, for administrative expenses to carry out the direct loan program, \$400,000.

COAST GUARD OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed eight passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; \$2,515,739,000, of which \$156,600,000 shall be transferred from the Department of Defense; of which \$25,000,000 shall be derived from the Oil Spill Liability Trust Fund; and of which \$30,000,000 shall be expended from the Boat Safety Account: *Provided*, That the number of aircraft on hand at any one time shall not exceed two hundred and twenty-three, exclusive of planes and parts stored to meet future attrition: *Provided further*, That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, \$384,600,000, of which \$19,250,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$104,500,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 1997; \$53,400,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 1995; \$67,650,000 shall be available for other equipment, to remain available until September 30, 1995; \$122,550,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 1995; and \$36,500,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1993.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, \$21,500,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, \$11,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), \$519,700,000.

RESERVE TRAINING

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; \$74,100,000, of which \$50,000,000 shall be transferred from the Department of Defense.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, \$27,930,000, to remain available until expended, of which \$4,550,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92-75, as amended, \$30,000,000, to be derived from the Boat Safety Account and to remain available until expended.

FEDERAL AVIATION ADMINISTRATION OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development, establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of the Airport and Airway Development Act, as amended, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of four passenger motor vehicles for replacement only, \$4,538,000,000, of which \$2,279,321,000 shall be derived from the Airport and Airway Trust Fund: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That none of these funds shall be available for new applicants for the second career training program: *Provided further*, That, of the funds available under this head, \$2,000,000 shall be made available for the Mid-American Aviation Resource Consortium in Minnesota to operate an air traffic control-

ler training program: *Provided further*, That funds may be used to enter into a grant agreement with a non-profit standard setting organization to assist in the development of aviation safety standards.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized by the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including initial acquisition of necessary sites by lease or grant; engineering and service testing including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations of officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, \$2,459,860,000, of which \$2,275,903,000 shall remain available until September 30, 1995, and of which \$183,957,000 shall remain available until September 30, 1994: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That with appropriations made for the Airway Science program, as authorized below in this section, the Federal Aviation Administration may hereafter enter into competitive grant agreements with institutions of higher education having airway science curricula, for the Federal share of the allowable direct costs of the following categories of items, to the extent that such items are in support of airway science curricula: (a) the construction, purchase, or lease with option to purchase, of buildings and associated facilities, and (b) instructional materials and equipment. Such funds are hereby authorized to be appropriated and may remain available until expended. The Federal Aviation Administration shall establish guidelines for determining the direct costs allowable under grants to be made pursuant to this section. The maximum Federal share of the allowable cost of any project assisted by such grants shall be 50 percent.

RESEARCH, ENGINEERING, AND DEVELOPMENT (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, in accordance with the provisions of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$236,856,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development under section 14 of Public Law 91-258, as amended, and under other law author-

izing such obligations, and obligations for noise compatibility planning and programs, \$1,800,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the commitments for which are in excess of \$1,800,000,000 in fiscal year 1993 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 506(e)(4) of the Airport and Airway Improvement Act of 1982, as amended, of which not to exceed \$196,313,800 shall be available for letters of intent issued prior to June 30, 1992.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to section 1306 of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program set forth in the budget for the current fiscal year for aviation insurance activities under title XIII of the Federal Aviation Act of 1958.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

The Secretary of Transportation may hereafter issue notes or other obligations to the Secretary of the Treasury, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as the Secretary of the Treasury may prescribe. Such obligations may be issued to pay any necessary expenses required pursuant to any guarantee issued under the Act of September 7, 1957, Public Law 85-307, as amended (49 U.S.C. 1324 note). None of the funds in this Act shall be available for activities under this head the obligations for which are in excess of \$9,970,000 during fiscal year 1993. Such obligations shall be redeemed by the Secretary from appropriations authorized by this section. The Secretary of the Treasury shall purchase any such obligations, and for such purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force. The purposes for which securities may be issued under such Act are extended to include any purchase of notes or other obligations issued under the subsection. The Secretary of the Treasury may sell any such obligations at such times and price and upon such terms and conditions as he shall determine in his discretion. All purchases, redemptions, and sales of such obligations by such Secretary shall be treated as public debt transactions of the United States.

FEDERAL HIGHWAY ADMINISTRATION LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, and research of the Federal Highway Administration not to exceed \$351,200,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That not to exceed \$115,000,000 of the amount provided herein shall remain available until expended: *Provided further*, That, notwithstanding any other provision of law, there may be credited to this account funds received from States, counties, municipalities, other public authorities, and private sources, for training

expenses incurred for non-Federal employees.

HIGHWAY-RELATED SAFETY GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (HIGHWAY TRUST FUND) (INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402 administered by the Federal Highway Administration, to remain available until expended, \$10,000,000 to be derived from the Highway Trust Fund: *Provided*, That not to exceed \$200,000 of the amount appropriated herein shall be available for "Limitation on general operating expenses": *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$10,000,000 in fiscal year 1993 for "Highway-Related Safety Grants".

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

For necessary expenses of certain railroad-highway crossings demonstration projects as authorized by section 163 of the Federal-Aid Highway Act of 1973, as amended, to remain available until expended, \$4,580,000, of which \$3,053,333 shall be derived from the Highway Trust Fund.

FEDERAL-AID HIGHWAYS (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$14,440,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1993.

FEDERAL-AID HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION) (HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, \$18,800,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

RIGHT-OF-WAY REVOLVING FUND (LIMITATION ON DIRECT LOANS) (HIGHWAY TRUST FUND)

During fiscal year 1993 and with the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed \$42,500,000.

MOTOR CARRIER SAFETY

For necessary expenses to carry out the motor carrier safety functions of the Secretary as authorized by the Department of Transportation Act (80 Stat. 939-940), \$51,500,000, of which \$3,929,000 shall remain available until expended.

MOTOR CARRIER SAFETY GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of section 402 of Public Law 97-424, \$65,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in ex-

cess of \$65,000,000 for "Motor Carrier Safety Grants", of which not to exceed \$3,000,000 shall be available for activities authorized by section 4008 of Public Law 102-240.

BALTIMORE-WASHINGTON PARKWAY

For necessary expenses, not otherwise provided, to carry out the provisions of the Federal-Aid Highway Act of 1970 and section 1069 of Public Law 102-240 for the Baltimore-Washington Parkway, to remain available until expended, \$10,000,000.

INTERMODAL URBAN DEMONSTRATION PROJECT (HIGHWAY TRUST FUND)

For necessary expenses to carry out the provisions of section 124 of the Federal-Aid Highway Amendments of 1974, \$4,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

HIGHWAY SAFETY AND ECONOMIC DEVELOPMENT DEMONSTRATION PROJECTS (HIGHWAY TRUST FUND)

For necessary expenses to carry out construction projects as authorized by Public Law 99-500 and Public Law 99-591, \$8,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

HIGHWAY SAFETY IMPROVEMENT DEMONSTRATION PROJECT (HIGHWAY TRUST FUND)

For the purpose of carrying out a coordinated project of highway improvements in the vicinity of Pontiac and East Lansing, Michigan, that demonstrates methods of enhancing safety and promoting economic development, \$7,500,000, to be derived from the Highway Trust Fund and to remain available until expended.

HIGHWAY WIDENING DEMONSTRATION PROJECT

For necessary expenses to carry out a demonstration project to improve U.S. Route 202 in the vicinity of King of Prussia, Pennsylvania, as authorized by Public Law 100-202, \$800,000, to remain available until expended.

HIGHWAY WIDENING AND IMPROVEMENT DEMONSTRATION PROJECT (HIGHWAY TRUST FUND)

For up to 80 percent of the expenses necessary to carry out a highway project between Paintsville and Prestonsburg, Kentucky, that demonstrates the safety and economic benefits of widening and improving highways in mountainous areas, \$1,680,000, to be derived from the Highway Trust Fund and to remain available until expended.

CLIMBING LANE AND HIGHWAY SAFETY DEMONSTRATION PROJECT (HIGHWAY TRUST FUND)

For 80 percent of the expenses necessary to carry out a highway project on U.S. Route 15 in the vicinity of Tioga County, Pennsylvania, for the purpose of demonstrating methods of improved highway and highway safety construction, \$4,800,000, to be derived from the Highway Trust Fund and to remain available until expended.

ALABAMA HIGHWAY BYPASS DEMONSTRATION PROJECT (HIGHWAY TRUST FUND)

For 80 percent of the expenses necessary for the construction of a highway bypass project in the vicinity of Jasper, Alabama, for the purpose of demonstrating methods of improved highway and highway safety construction, \$4,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

KENTUCKY BRIDGE DEMONSTRATION PROJECT (HIGHWAY TRUST FUND)

For 80 percent of the expenses necessary to replace the Glover Cary Bridge in

Owensboro, Kentucky, for the purpose of demonstrating methods of improved highway and highway safety construction, \$8,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

VIRGINIA HOV SAFETY DEMONSTRATION PROJECT

(HIGHWAY TRUST FUND)

For 80 percent of the expenses necessary to construct High Occupancy Vehicle lanes on Interstate Route 66 between U.S. Route 50 and U.S. Route 29, including the construction of an interchange at Interstate Route 66 and the Route 234 Manassas bypass for the purpose of demonstrating methods of increasing highway capacity and safety by the use of highway shoulders to construct HOV lanes, \$2,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

URBAN HIGHWAY CORRIDOR AND BICYCLE TRANSPORTATION DEMONSTRATION PROJECTS

(HIGHWAY TRUST FUND)

For 80 percent of the expenses necessary to improve and upgrade the M-59 urban highway corridor in southeast Michigan for the purpose of demonstrating methods of improving congested urban corridors that have been neglected during construction of the Interstate system, \$3,860,000, to be derived from the Highway Trust Fund and to remain available until expended, together with \$380,000, to be derived from the Highway Trust Fund and to remain available until expended, to provide for 80 percent of the expenses necessary for a bicycle transportation demonstration project in Macomb County, Michigan.

URBAN AIRPORT ACCESS SAFETY DEMONSTRATION PROJECT

(HIGHWAY TRUST FUND)

For 80 percent of the expenses necessary to improve and upgrade access to Detroit Metropolitan Airport in southeast Michigan, \$4,800,000, to be derived from the Highway Trust Fund and to remain available until expended, for the purpose of demonstrating methods of improving access to major urban airports.

PENNSYLVANIA RECONSTRUCTION DEMONSTRATION PROJECT

(HIGHWAY TRUST FUND)

For 80 percent of the expenses necessary to upgrade, widen, and reconstruct the sections of Pennsylvania Route 56 known as Haws Pike and the Windber By-Pass, for the purpose of demonstrating methods of promoting economic development and highway safety, \$8,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

PENNSYLVANIA TOLL ROAD DEMONSTRATION PROJECT

(HIGHWAY TRUST FUND)

For necessary expenses for the Monongahela Valley Expressway, \$4,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That these funds, together with funds made available from the Highway Trust Fund, for Federal participation in the toll highway project being carried out under section 129(j) of title 23, United States Code, in the State of Pennsylvania shall be subject to section 129(j) of such title, relating to Federal share limitation.

HIGHWAY DEMONSTRATION PROJECTS

(HIGHWAY TRUST FUND)

For up to 80 percent of the expenses necessary for certain highway and bicycle trans-

portation projects and parking facilities, including feasibility and environmental studies, that demonstrate methods of improving safety, reducing congestion, or promoting economic development, \$90,600,000, to be derived from the Highway Trust Fund and to remain available until expended.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, as amended) and the National Traffic and Motor Vehicle Safety Act, \$76,890,000, to remain available until September 30, 1995.

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under 23 U.S.C. 403 and section 2006 of the Intermodal Surface Transportation Efficiency Act of 1991, to be derived from the Highway Trust Fund, \$43,250,000, to remain available until September 30, 1995.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 153, 402, 406, 408, and 410, section 2007 of the Intermodal Surface Transportation Efficiency Act of 1991, and section 209 of Public Law 95-599, as amended, to remain available until expended, \$152,000,000, to be derived from the Highway Trust Fund: *Provided*, That, notwithstanding subsection 2009(b) of the Intermodal Surface Transportation Efficiency Act of 1991, none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 1993, are in excess of \$130,300,000 for programs authorized under 23 U.S.C. 402, of which \$112,000,000 shall be for "State and community highway safety grants", \$12,000,000 shall be for section 153 "Safety belt and motorcycle helmet use" grants, \$2,000,000 shall be for section 410 "Alcohol-impaired driving countermeasures" grants, and \$4,300,000 shall be for the "National Driver Register": *Provided further*, That none of these funds shall be used for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which are in excess of \$7,700,000 for "Alcohol safety incentive grants" authorized under 23 U.S.C. 408: *Provided further*, That not to exceed \$5,153,000 may be available for administering "State and community highway safety grants" and \$150,000 may be available for administering section 410: *Provided further*, That, notwithstanding any other provision of law, none of the funds in this Act shall be available for the planning or execution of programs authorized under section 209 of Public Law 95-599, as amended, the total obligations for which are in excess of \$4,750,000 in fiscal years 1982 through 1993.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$17,385,000, of which \$1,895,000 shall remain available until expended: *Provided*,

That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and that no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: *Provided further*, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further*, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, \$40,090,000, of which \$1,335,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from non-Federal sources for expenses incurred in training safety employees of private industry, State and local authorities, or other public authorities other than State rail safety inspectors participating in training pursuant to section 206 of the Federal Railroad Safety Act of 1970.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$14,800,000, to remain available until expended: *Provided*, That up to \$600,000 shall be made available to support, by financial assistance agreement, railroad-highway grade crossing safety programs, including Operation Lifesaver: *Provided further*, That \$100,000 is available until expended to support by financial assistance agreement railroad metallurgical and welding studies at the Oregon Graduate Institute.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for operating losses incurred by the Corporation, capital improvements, and labor protection costs authorized by 45 U.S.C. 601, to remain available until expended, \$405,000,000, of which \$331,000,000 shall be available for operating losses incurred by the Corporation and for labor protection costs, and of which \$74,000,000, not to become available until July 1, 1993, shall be available for capital improvements: *Provided*, That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status: *Provided further*, That the Secretary shall make no commitments to guarantee new loans or loans for new purposes under 45 U.S.C. 602 in fiscal year 1993: *Provided further*, That no funds are required to be expended or reserved for expenditure pursuant to 45 U.S.C. 601(e):

Provided further, That, notwithstanding any other provision of law, the National Railroad Passenger Corporation shall not operate rail passenger service between Atlantic City, New Jersey, and the Northeast Corridor main line unless the Corporation's Board of Directors determines that revenues from such service have covered or exceeded 75 per centum of the short-term avoidable costs of operating such service in the third year of operation: *Provided further*, That none of the funds provided in this or any other Act shall be made available to finance the acquisition and rehabilitation of a line, and construction necessary to facilitate improved rail passenger service, between Spuyten Duyvil, New York, and the main line of the Northeast Corridor unless the Secretary of Transportation certifies that not less than 40 per centum of the costs of such improvements shall be derived from non-Amtrak sources.

MANDATORY PASSENGER RAIL SERVICE PAYMENTS

To enable the Secretary of Transportation to pay obligations and liabilities of the National Railroad Passenger Corporation, \$146,000,000, to remain available until expended: *Provided*, That this amount is available only for the payment of: (1) tax liabilities under section 3221 of the Internal Revenue Code of 1986 due in fiscal year 1993 in excess of amounts needed to fund benefits for individuals who retired from the National Railroad Passenger Corporation and for their beneficiaries; (2) obligations of the National Railroad Passenger Corporation under section 358(a) of title 45, United States Code, due in fiscal year 1993 in excess of its obligations calculated on an experience-rated basis; and (3) obligations of the National Railroad Passenger Corporation due under section 3321 of the Internal Revenue Code of 1986.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING FUNDS

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That no new loan guarantee commitments shall be made during fiscal year 1993: *Provided further*, That, notwithstanding any other provision of law, for fiscal year 1989 and each fiscal year thereafter all amounts realized from the sale of notes or securities sold under authority of this section shall be considered as current year domestic discretionary outlay offsets and not as "asset sales" or "loan prepayments" as defined by section 257(12) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That any underwriting fees and related expenses shall be derived solely from the proceeds of the sales.

CONRAIL COMMUTER TRANSITION ASSISTANCE

For necessary capital expenses of Conrail commuter transition assistance, not otherwise provided for, \$7,000,000, to remain available until expended.

AMTRAK CORRIDOR IMPROVEMENT LOANS

For the cost of direct loans to the Chicago, Missouri and Western Railroad, or its successors, to replace existing jointed rail with

continuous welded rail between Joliet and Granite City, Illinois, \$844,200: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,500,000: *Provided further*, That any loan authorized under this section shall be structured with a maximum 20-year payment at an annual interest rate of 4 per centum: *Provided further*, That the Federal Government shall hold a first and prior purchase money security interest with respect to any materials to be acquired with Federal funds: *Provided further*, That any such loan shall be matched on a dollar for dollar basis by the State of Illinois: *Provided further*, That any such loan shall be made available no later than thirty days after enactment of this Act.

NATIONAL MAGNETIC LEVITATION PROTOTYPE DEVELOPMENT

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the planning or execution of the National Magnetic Levitation Prototype Development program as defined in subsections 1036(b) and 1036(d)(1)(A) of the Intermodal Surface Transportation Efficiency Act of 1991.

HIGH-SPEED GROUND TRANSPORTATION

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of the High-Speed Ground Transportation program as defined in subsections 1036(c) and 1036(d)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991, \$2,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$5,000,000 for the "High-Speed Ground Transportation" program.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by the Federal Transit Act and 23 U.S.C. chapter 1 in connection with these activities, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, \$13,400,000: *Provided*, That no more than \$38,550,000 of budget authority shall be available for these purposes.

FORMULA GRANTS

For necessary expenses to carry out the provisions of sections 9, 16(b)(2), and 18 of the Federal Transit Act, to remain available until expended, \$755,125,000: *Provided*, That no more than \$1,820,000,000 of budget authority shall be available for these purposes: *Provided further*, That, notwithstanding any other provision of law, of the funds provided under this head for formula grants no more than \$720,000,000 may be used for operating assistance under section 9(k)(2) of the Federal Transit Act.

UNIVERSITY TRANSPORTATION CENTERS

For necessary expenses for university transportation centers as authorized by section 11(b) of the Federal Transit Act, to remain available until expended, \$2,025,000: *Provided*, That no more than \$6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses for transit planning and research as authorized by section 26

of the Federal Transit Act, to remain available until expended, \$29,000,000: *Provided*, That no more than \$85,000,000 of budget authority shall be available for these purposes.

TRUST FUND SHARE OF TRANSIT PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out section 21(a) of the Federal Transit Act, \$1,150,000,000, to remain available until expended and to be derived from the Highway Trust Fund: *Provided*, That \$25,150,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's administrative expenses account: *Provided further*, That \$1,064,875,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants account: *Provided further*, That \$3,975,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's university transportation centers account: *Provided further*, That \$56,000,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's transit planning and research account.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$1,600,000,000 in fiscal year 1993 for grants under the contract authority authorized in section 21 (b) of the Federal Transit Act: *Provided further*, That, notwithstanding any other provision of law, of that amount there shall be available for new fixed guideway systems—

- not less than \$35,000,000 for the Atlanta MARTA North Line Extension Project;
- not less than \$25,000,000 for the Baltimore LRT Extensions Project;
- not less than \$45,000,000 for the South Boston Piers Transitway Project;
- not less than \$25,000,000 for the Chicago Central Area Connector Project;
- not less than \$1,500,000 for the Cleveland Dual Hub Corridor Project;
- not less than \$50,000,000 for the Dallas South Oak Cliff LRT Project;
- not less than \$40,000,000 for the Honolulu Rapid Transit Starter Line of Projects;
- not less than \$40,000,000 for the Houston Regional Bus Plan Program of Projects;
- not less than \$10,000,000 for the Jacksonville ASE Extension Project;
- not less than \$110,000,000 for the Los Angeles Metro Rail MOS-2 and MOS-3 Projects;
- not less than \$10,000,000 for the Maryland Commuter Rail Project, of which \$3,000,000 shall be available for the Waldorf Corridor;
- not less than \$5,434,000 for the Miami Metromover Stage I Completion-Omni/Brickell Project and not less than \$2,966,000 to restore urban initiative funds provided to Miami in Public Law 98-473 but transferred to the Metromover Project in 1989;
- not less than \$35,000,000 for the New Jersey Urban Core Project;
- not less than \$10,000,000 for the New York Queens Connection Project;
- not less than \$2,900,000 for the Orlando OSCAR LRT Project;
- not less than \$700,000 for the Philadelphia Cross County Commuter Rail Project;
- not less than \$17,000,000 for the Pittsburgh Busway Projects;
- not less than \$49,000,000 for the Portland Westside LRT Project;

not less than \$1,000,000 for the Sacramento LRT Extension Project;
 not less than \$2,000,000 for the San Diego Mid-Coast Extension Project;
 not less than \$45,000,000 for the San Francisco Airport BART Extension Project and the Tasman Corridor LRT Project;
 not less than \$18,000,000 for the Seattle-Tacoma Commuter Rail Project;
 not less than \$3,000,000 for the Salt Lake City South LRT Project;
 not less than \$51,000,000 for the St. Louis METRO Link Project; and
 not less than \$5,500,000 for the Florida Tri-County Commuter Rail Project.

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION) (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out section 21 (b) of the Federal Transit Act, administered by the Federal Transit Administration, \$1,500,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

INTERSTATE TRANSFER GRANTS—TRANSIT

For necessary expenses to carry out the provisions of 23 U.S.C. 103(e)(4) related to transit projects, \$75,000,000, to remain available until expended.

WASHINGTON METRO

For necessary expenses to carry out the provisions of section 14 of Public Law 96-184 and Public Law 101-551, \$165,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments with-out regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, \$11,100,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, and for expenses for conducting research and development, \$21,335,000, of which \$165,000 shall be derived from the Pipeline Safety Fund, and of which \$1,824,000 shall remain available until expended: *Provided*, That, notwithstanding 31 U.S.C. 3302, there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for airline statistics; and up to \$1,600,000 in funds received from user fees established to support the electronic tariff filing system: *Provided further*, That not less than \$1,282,000 in fees shall be collected under section 106(c)(11) of the Hazardous Materials Transportation Uniform

Safety Act of 1990 (49 U.S.C. App. 1805(c)(11)) and deposited in the general fund of the Treasury as offsetting receipts.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

For expenses necessary to conduct the functions of the pipeline safety program and for grants-in-aid to carry out a pipeline safety program, as authorized by section 5 of the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979, \$14,100,000, to be derived from the Pipeline Safety Fund, of which \$7,700,000 shall remain available until expended.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out a training curriculum as authorized by section 117A of the Hazardous Materials Transportation Act, as amended, \$850,000, to be derived from the Emergency Preparedness Fund and to remain available until expended.

ALASKA PIPELINE TASK FORCE

(OIL SPILL LIABILITY TRUST FUND)

For necessary expenses to support a Presidential Task Force audit of the Trans-Alaska Pipeline System, as required by title VIII of the Oil Pollution Act of 1990, \$360,000, to be derived from the Oil Spill Liability Trust Fund and to remain available until expended.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$38,000,000.

□ 1320

Mr. LEHMAN of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title I of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. Are there points of order against the remainder of title I?

Are there amendments to the remainder of title I?

Mr. PENNY. Mr. Chairman, if I might, and this is strictly for discussion purposes only, I ask unanimous consent to return to page 11, line 2, for purposes of offering an amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

AMENDMENT OFFERED BY MR. PENNY

Mr. PENNY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PENNY: Page 11, line 2, strike "\$4,538,000,000" and insert "\$4,537,000,000".

The CHAIRMAN. Under the rule, the gentleman from Minnesota [Mr. PENNY] will be recognized for 10 minutes, and a Member opposed will also be recognized for 10 minutes.

Is there a Member seeking the 10 minutes in opposition to the amendment?

Mr. LEHMAN of Florida. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Minnesota [Mr. PENNY] will be recognized for 10 minutes, and the gentleman from Florida [Mr. LEHMAN] will be recognized for 10 minutes in opposition.

The Chair recognizes the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I simply want to take this time to discuss the issue of flight training lessons that are provided to personnel at the Department of Transportation.

As the chairman and the ranking member will recall, last year together with the gentleman from North Dakota [Mr. DORGAN] we suggested an amendment in this area because of our concern that far too many high-level Department officials at the Department of Transportation were benefiting from flying lessons. Our view was that we should not have all of America's taxpayers subsidizing flying lessons for these top level bureaucrats.

I do understand the underlying purpose of this flight training program is to provide training services to many, many personnel in the Department who are involved in testing the safety of airplanes and other safety-related purposes.

We frankly understand the need for that kind of ongoing training and were not out last year to cut the ability of the Department of Transportation to provide for appropriate personnel in that regard; however, we did want to draw attention to the issue. We were disappointed last year to be rebuffed by the committee in our effort to make some cost reductions in this area.

I would simply ask the chairman of the committee to respond if he might in terms of the work that the committee has done this year to address reductions in this budget as a way of cutting the part of the expenditures for flight training that were making it possible for some of these high-level executives in the Department to get free flight lessons at the taxpayers expense.

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will yield, I think the gentleman's concern is sincere; however, I think the gentleman also realizes that we have reduced this appropriation by \$1.5 million, which should be enough to resolve this problem. I will continue to work with the gentleman.

Mr. PENNY. Mr. Chairman, I would yield to the gentleman from Pennsylvania [Mr. COUGHLIN] in further discussion of this point. I think here again it is my understanding that there was a \$1.5 million reduction from the request of the Department for \$7.3 million in this area, leaving the final appropriation at \$5.8 million. That reduction was designed to eliminate the free flight lessons that were available

to those who were not directly involved in the kind of safety and inspection programs that the Department needs to carry out.

Mr. COUGHLIN. Mr. Chairman, if the gentleman will yield, the gentleman is correct in terms of the reduction that was made.

I do think it is a little misleading to say that these funds are for free flight lessons. By far the vast majority of these funds are to maintain the proficiency of FAA employees who are indeed pilots who need to use the airways to have the experience of how the aviation and the air traffic control system works. It is very important that these employees of the Department have hands-on experience in operating in the system. These funds are primarily to provide that experience.

Mr. PENNY. Mr. Chairman, I thank the gentleman for his response.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. CARR].

Mr. CARR. Mr. Chairman, I appreciate the gentleman yielding me this time.

I want to join with my colleague, the gentleman from Pennsylvania, in objecting to the amendment and objecting to the trivialization of an important element of oversight that the executive management of the FAA has over the aviation system, even though it includes sometimes their own training in proficiency, their own check rides, their biannual check rides to make sure they are current and safe.

I can assure the gentleman from Minnesota that if any such trivial examples come to our attention in the future, we will pursue them with vigor, because we do not want the taxpayers' money being used in frivolous and trivial ways.

□ 1330

But I have looked into this myself. The gentleman and I might disagree over which level of executive needs to know and how that is helpful in their day-to-day duty. As of yet, I have not been able to find a specific example of free flight lessons, trivial flight lessons.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Again, Mr. Chairman, I do want to acknowledge that the committee has achieved a \$1.5 million cut in this part of the budget, and I do acknowledge that the vast majority of the funding in this area does go to help our aviation safety inspectors. That is something we would all want to support. To the degree that there have been others, including high-level executives in the department who have received flight training, with less money next year it is going to be less likely that anyone other than the inspectors will be funded in this flight training category.

I appreciate the work of the committee in this regard.

Mr. Chairman, I ask unanimous consent that I be permitted to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. Are there further amendments to the balance of title I?

For what purpose does the gentleman from Florida rise?

Mr. LEHMAN of Florida. Mr. Chairman, pursuant to the requirements of the rule, I notify the House that amendments printed in part 1 of the Rules Committee report be called up no sooner than 1 hour.

The CHAIRMAN. Pursuant to the rule, the gentleman's notice is received.

Are their additional amendments to the balance of title I?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II—RELATED AGENCIES ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$3,200,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$36,000,000, of which not to exceed \$1,000 may be used for official reception and representation expenses.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b), and not to exceed \$1,500 for official reception and representation expenses, \$43,930,000: *Provided*, That joint board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their official duties as such: *Provided further*, That \$7,300,000 in fees collected in fiscal year 1993 by the Interstate Commerce Commission pursuant to 31 U.S.C. 9701 shall be made available to this appropriation in fiscal year 1993.

PAYMENTS FOR DIRECTED RAIL SERVICE

(LIMITATION ON OBLIGATIONS)

None of the funds provided in this Act shall be available for the execution of programs the obligations for which can reasonably be expected to exceed \$475,000 for directed rail service authorized under 49 U.S.C. 11125 or any other Act.

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

For administrative expenses of the Panama Canal Commission, including not to exceed \$11,000 for official reception and representation expenses of the Board; not to exceed \$5,000 for official reception and representation expenses of the Secretary; and not to exceed \$30,000 for official reception and representation expenses of the Administrator, \$51,150,000, to be derived from the Panama Canal Revolving Fund: *Provided*, That none of these funds may be used for the planning or execution of non-administrative and capital programs the obligations for which are in excess of \$530,000,000 in fiscal year 1993: *Provided further*, That funds available to the Panama Canal Commission shall be available for the purchase of not to exceed thirty-five passenger motor vehicles for replacement only (including large heavy-duty vehicles used to transport Commission personnel across the Isthmus of Panama), the purchase price of which shall not exceed \$18,000 per vehicle.

DEPARTMENT OF THE TREASURY

REBATE OF SAINT LAWRENCE SEAWAY TOLLS (HARBOR MAINTENANCE TRUST FUND)

For rebate of the United States portion of tolls paid for use of the Saint Lawrence Seaway, pursuant to Public Law 99-662, \$10,400,000, to remain available until expended and to be derived from the Harbor Maintenance Trust Fund, of which not to exceed \$200,000 shall be available for expenses of administering the rebates.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

INTEREST PAYMENTS

For necessary expenses for interest payments, to remain available until expended, \$51,663,569: *Provided*, That these funds shall be disbursed pursuant to terms and conditions established by Public Law 96-184 and the Initial Bond Repayment Participation Agreement.

TITLE III—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

The CHAIRMAN. For what purpose does the gentleman from Minnesota [Mr. OBERSTAR] rise?

POINT OF ORDER

Mr. OBERSTAR. Mr. Chairman, I make a point of order against section 338 of the bill as legislation in an appropriations bill, in violation of clause 2 of rule XXI of the rules of the House of Representatives.

The CHAIRMAN. The Chair would inform the gentleman that the committee has not reached that point in the bill as of this moment.

The Clerk will read.

The Clerk read as follows:

SEC. 302. Funds for the Panama Canal Commission may be apportioned notwithstanding 31 U.S.C. 1341 to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by

administrative action pursuant to law that are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18.

SEC. 305. None of the funds for the Panama Canal Commission may be expended unless in conformance with the Panama Canal Treaties of 1977 and any law implementing those treaties.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. None of the funds in this or any previous or subsequent Act shall be available for the planning or implementation of any change in the current Federal status of the Volpe National Transportation Systems Center, and none of the funds in this Act shall be available for the implementation of any change in the current Federal status of the Turner-Fairbank Highway Research Center: *Provided*, That the Secretary may plan for further development of the Volpe National Transportation Systems Center and for other compatible uses of the Center's real property: *Provided*, That any such planning does not alter the Federal status of the Center's research and development operation.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 310. (a) For fiscal year 1993 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways and highway safety construction that are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for

Federal-aid highways and highway safety construction that are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1992, no State shall obligate more than 25 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 15 per centum of the total amount distributed to all States under such subsection.

(c) notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways and highway safety construction that have been apportioned to a State, except in those instances in which a State indicates its intention to lapse sums apportioned under section 104(b)(5)(A) of title 23, United States Code;

(2) after August 1, 1993, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 103(e)(4), 104 and 144 of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102-240; and

(3) not distribute amounts authorized for administrative expenses, the Federal lands highway program, the intelligent vehicle highway systems program, and amounts made available under sections 1040, 1047, 1064, 5003, 6001, 6004, 6005, 6023, and 6024, of Public Law 102-240, and not more than \$6,800,000 for section 6006 of Public Law 102-240.

(d) The limitation on obligations for Federal-aid highways and highway safety construction programs for fiscal year 1993 shall not apply to obligations for emergency relief under section 125 of title 23, United States Code; obligations under section 157 of title 23, United States Code; projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, sections 131(b), 131(j), and 404 of Public Law 97-424, and sections 1103 through 1108 of Public Law 102-240; projects authorized by Public Law 99-500, Public Law 99-591 and Public Law 100-202; or projects covered under subsections 149 (b) and (c) of Public Law 100-17.

(e) Subject to paragraph (c)(2) of this General Provision, a State which after August 1 and on or before September 30 of fiscal year 1993 obligates the amount distributed to such State in that fiscal year under paragraphs (a) and (c) of this General Provision may obligate for Federal-aid highways and highway safety construction on or before September 30, 1993, an additional amount not to exceed 5 per cent of the aggregate amount of funds apportioned or allocated to such State—

(1) under sections 104 and 144 of title 23, United States Code, and 1013(c) and 1015 of Public Law 102-240, and

(2) for highway assistance projects under section 103(e)(4) of title 23, United States Code,

which are not obligated on the date such State completes obligation of the amount so distributed.

(f) During the period August 2 through September 30, 1993, the aggregate amount which may be obligated by all States pursuant to paragraph (e) shall not exceed 2.5 per cent of the aggregate amount of funds apportioned or allocated to all States—

(1) under sections 104 and 144 of title 23, United States Code, and 1013(c) and 1015 of Public Law 102-240, and

(2) for highway assistance projects under section 103(e)(4) of title 23, United States Code,

which would not be obligated in fiscal year 1993 if the total amount of the obligation limitation provided for such fiscal year in this Act were utilized.

(g) Paragraph (e) shall not apply to any State which on or after August 1, 1993, has the amount distributed to such State under paragraph (a) for fiscal year 1993 reduced under paragraph (c)(2).

SEC. 311. None of the funds in this Act shall be available for salaries and expenses of more than one hundred and twenty political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 312. Not to exceed \$400,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees.

SEC. 313. The limitation on obligations for the programs of the Federal Transit Administration shall not apply to any authority under section 21 of the Federal Transit Act, previously made available for obligation, or to any other authority previously made available for obligation under the Discretionary Grants program.

SEC. 314. Notwithstanding any other provision of law, none of the funds in this Act shall be available for the construction of, or any other costs related to, the Central Automated Transit System (Downtown People Mover) in Detroit, Michigan.

SEC. 315. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 316. Every 30 days, the Federal Transit Administration shall publish in the Federal Register an announcement of each grant obligated pursuant to sections 3 and 9 of the Federal Transit Act, including the grant number, the grant amount, and the transit property receiving each grant.

SEC. 317. Notwithstanding any other provision of law, funds appropriated in this or any other Act intended for studies, reports, training, salaries, or research, and related costs thereof including necessary capital expenses, including site acquisition, construction and equipment, are available for such purposes to be conducted through contracts, grants, or financial assistance agreements with the educational institutions that are specified in such Acts or in any report accompanying such Acts.

SEC. 318. The Secretary of Transportation shall permit the obligation of not to exceed \$4,000,000, apportioned under title 23, United States Code, section 104(b)(5)(B) for the State of Florida for operating expenses of the Tri-County Commuter Rail Project in the area of Dade, Broward, and Palm Beach Counties, Florida, during each year that Interstate 95 is under reconstruction in such area.

SEC. 319. ESSENTIAL AIR SERVICE COMPENSATION.—Notwithstanding any other provision of law, the Secretary of Transportation shall make payment of compensation under subsection 419 of the Federal Aviation Act of 1958, as amended, only to the extent and in the manner provided in appropriations Acts, at times and in a manner determined by the Secretary to be appropriate, and claims for such compensation shall not arise except in accordance with this provision.

SEC. 320. The authority conferred by section 513(d) of the Airport and Airway Improvement Act of 1982, as amended, to issue letters of intent shall remain in effect subsequent to September 30, 1992. Letters of intent may be issued under such subsection to applicants determined to be qualified under such Act: *Provided*, That, notwithstanding any other provision of law, all such letters of intent in excess of \$10,000,000 shall be submitted for approval to the Committees on Appropriations of the Senate and the House of Representatives; the Committee on Commerce, Science, and Transportation of the Senate; and the Committee on Public Works and Transportation of the House of Representatives.

SEC. 321. The Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided*, That no appropriation shall be increased or decreased by more than 8 percent by all such transfers: *Provided further*, That any such transfer shall be submitted for approval to the House and Senate Committees on Appropriations.

SEC. 322. Such sums as may be necessary for fiscal year 1993 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act.

SEC. 323. VESSEL TRAFFIC SAFETY FAIRWAY.—None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 324. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to Federal Aviation Administration design and performance specifications, the purchase of which was assisted by a Federal airport aid program, airport development aid program or airport improvement program grant. The Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by the Federal Aviation Administration in accordance with agency criteria.

SEC. 325. NATIONAL WEATHER GRAPHICS SYSTEM.—None of the funds made available in this Act may be used by the Federal Aviation Administration for a new National Weather Graphics System.

SEC. 326. None of the funds in this Act shall be available to award a multiyear contract for production end items that (1) includes economic order quantity or long lead time material procurement in excess of \$10,000,000 in any one year of the contract or (2) includes a cancellation charge greater than \$10,000,000 which at the time of obligation has not been appropriated to the limits of the government's liability or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 327. REVOCATION OR SUSPENSION OF DRIVERS' LICENSES OF INDIVIDUALS CONVICTED OF DRUG OFFENSES.—

(a) IN GENERAL.—Section 159 of title 23, United States Code, is amended to read as follows:

"§ 159. Revocation or suspension of drivers' licenses of individuals convicted of drug offenses"

"(a) WITHHOLDING OF APPORTIONMENTS FOR NONCOMPLIANCE.—

"(1) BEGINNING IN FISCAL YEAR 1994.—For each fiscal year the Secretary shall withhold 5 percent of the amount required to be apportioned to any State under each of paragraphs (1), (3), and (5) of section 104(b) on the first day of each fiscal year which begins after the second calendar year following the effective date of this section if the State does not meet the requirements of paragraph (3) on such date.

"(2) BEGINNING IN FISCAL YEAR 1996.—The Secretary shall withhold 10 percent (including any amounts withheld under paragraph (1)) of the amount required to be apportioned to any State under each of paragraphs (1), (3), and (5) of section 104(b) on the first day of each fiscal year which begins after the fourth calendar year following the effective date of this section if the State does not meet the requirements of paragraph (3) on the first day of such fiscal year.

"(3) REQUIREMENTS.—A State meets the requirements of this paragraph if—

"(A) the State has enacted and is enforcing a law that requires in all circumstances, or requires in the absence of compelling circumstances warranting an exception—

"(i) the revocation, or suspension for at least 6 months, of the driver's license of any individual who is convicted, after the enactment of such law, of—

"(I) any violation of the Controlled Substances Act, or

"(II) any drug offense; and

"(ii) a delay in the issuance or reinstatement of a driver's license to such an individual for at least 6 months after the individual applies for the issuance or reinstatement of a driver's license if the individual does not have a driver's license, or the driver's license of the individual is suspended, at the time the individual is so convicted; or

"(B) the Governor of the State—

"(i) submits to the Secretary no earlier than the adjournment sine die of the first regularly scheduled session of the State's legislature which begins after the effective date of this section a written certification stating that the Governor is opposed to the enactment or enforcement in the State of a law described in subparagraph (A), relating to the revocation, suspension, issuance, or reinstatement of drivers' licenses to convicted drug offenders; and

"(ii) submits to the Secretary a written certification that the legislature (including both Houses where applicable) has adopted a resolution expressing its opposition to a law described in clause (1).

"(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLIANCE AND NONCOMPLIANCE.—

"(1) PERIOD OF AVAILABILITY OF WITHHELD FUNDS.—

"(A) FUNDS WITHHELD ON OR BEFORE SEPTEMBER 30, 1995.—Any funds withheld under subsection (a) from apportionment to any State on or before September 30, 1995, shall remain available for apportionment to such State as follows:

"(i) If such funds would have been apportioned under section 104(b)(5)(A) but for this section, such funds shall remain available until the end of the fiscal year for which such funds are authorized to be appropriated.

"(ii) If such funds would have been apportioned under section 104(b)(5)(B) but for this section, such funds shall remain available until the end of the second fiscal year following the fiscal year for which such funds are authorized to be appropriated.

"(iii) If such funds would have been apportioned under paragraph (1), (3), or (5) of section 104(b) but for this section, such funds shall remain available until the end of the third fiscal year following the fiscal year for which such funds are authorized to be appropriated.

"(B) FUNDS WITHHELD AFTER SEPTEMBER 30, 1995.—No funds withheld under this section from apportionment to any State after September 30, 1995, shall be available for apportionment to such State.

"(2) APPORTIONMENT OF WITHHELD FUNDS AFTER COMPLIANCE.—If, before the last day of the period for which funds withheld under subsection (a) from apportionment are to remain available for apportionment to a State under paragraph (1), the State meets the requirements of subsection (a)(3), the Secretary shall, on the first day on which the State meets the requirements of subsection (a)(3), apportion to the State the funds withheld under subsection (a) that remain available for apportionment to the State.

"(3) PERIOD OF AVAILABILITY OF SUBSEQUENTLY APPORTIONED FUNDS.—Any funds apportioned pursuant to paragraph (2) shall remain available for expenditure as follows:

"(A) Funds which would have been originally apportioned under section 104(b)(5)(A) shall remain available until the end of the fiscal year succeeding the fiscal year in which such funds are apportioned under paragraph (2).

"(B) Funds which would have been originally apportioned under paragraph (1), (3), or (5)(B) of section 104(b) shall remain available until the end of the third fiscal year succeeding the fiscal year in which such funds are so apportioned.

Sums not obligated at the end of such period shall lapse or, in the case of funds apportioned under section 104(b)(5), shall lapse and be made available by the Secretary for projects in accordance with section 118(b).

"(4) EFFECT OF NONCOMPLIANCE.—If, at the end of the period for which funds withheld under subsection (a) from apportionment are available for apportionment to a State under paragraph (1), the State does not meet the requirements of subsection (a)(3), such funds shall lapse or, in the case of funds withheld from apportionment under section 104(b)(5), such funds shall lapse and be made available by the Secretary for projects in accordance with section 118(b).

"(c) DEFINITIONS.—For purposes of this section—

"(1) DRIVER'S LICENSE.—The term 'driver's license' means a license issued by a State to any individual that authorizes the individual to operate a motor vehicle on highways.

"(2) DRUG OFFENSE.—The term 'drug offense' means any criminal offense which proscribes—

"(A) the possession, distribution, manufacture, cultivation, sale, transfer, or the attempt or conspiracy to possess, distribute, manufacture, cultivate, sell, or transfer any substance the possession of which is prohibited under the Controlled Substances Act; or

"(B) the operation of a motor vehicle under the influence of such a substance.

"(3) CONVICTED.—The term 'convicted' includes adjudicated under juvenile proceedings."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) of this section shall take effect November 5, 1990.

SEC. 328. COLLEGIATE TRAINING INITIATIVE.—

(a) The Administrator of the Federal Aviation Administration may hereafter continue the Collegiate Training Initiative program,

by entering into new agreements, and by maintaining existing agreements, with post-secondary educational institutions, as defined by the Administrator, whereby such institutions prepare students for the position of air traffic controller with the Department of Transportation, as defined in 5 U.S.C. 2109.

(b) The Administrator may establish standards for the entry of institutions into such program and for their continued participation in it.

(c) The Administrator may appoint persons who have successfully completed a course of training in such program to the position of air traffic controller noncompetitively in the excepted service, as defined in 5 U.S.C. 2103. Persons so appointed shall serve at the pleasure of the Administrator, subject to 5 U.S.C. 7511(e) (pertaining to adverse actions). However, an appointment under this subsection may be converted from one in the excepted service to a career-conditional or career appointment in the competitive civil service, as defined in 5 U.S.C. 2102, when the incumbent achieves full performance level air traffic controller status, as determined by the Administrator. The authority conferred by this subsection to make new appointments in the excepted service shall expire at the end of five years from the date of enactment of this Act, except that the Administrator may determine to extend such authority for one or more successive one-year periods thereafter.

SEC. 329. CONTROL OF OUTDOOR ADVERTISING.—Section 131(n) of title 23, United States Code, is amended by adding at the end the following new sentence "Funds apportioned to a State under section 104 of this title shall not be treated for purposes of the preceding sentence as being available to the State for making such a payment except to the extent that the State, in its discretion, expends such funds for such a payment."

SEC. 330. None of the funds in this Act shall be available for planning or executing any rules or regulations to add Passenger Facility Charges to the cost of travel benefits commonly known as "frequent flyer award certificates" or any other bonus program offered by any airline.

SEC. 331. None of the funds provided in this Act shall be made available for planning and executing a passenger manifest program by the Department of Transportation that only applies to United States flag carriers.

SEC. 332. None of the funds provided in this Act shall be made available for any criminal history records check program under the Federal Aviation Act of 1958, as amended.

SEC. 333. None of the funds in this Act shall be available for the planning or implementation of any change in the current Federal status of the Federal Aviation Administration's flight service stations at Red Bluff Airport in Red Bluff, California, Tri-City Airport in Bristol, Tennessee, and Bert Mooney Airport in Butte, Montana.

SEC. 334. Section 1064(e) of Public Law 102-240 is amended by adding "For further purposes of this section, the access road from United States Business Route 75 to the Sugar Island Ferry Service in Chippewa County, Michigan, and the access road from Michigan State Route 31 to the Beaver Island Ferry Service in Charlevoix County, Michigan, shall be treated as principal arterials."

SEC. 335. From funds appropriated to the Department of Transportation or made available by this Act or any other Act, the Secretary of Transportation shall, notwithstanding any other provision of this Act or any other Act, make available not to exceed \$3,000,000 for a transportation resource cen-

ter at Barry University, Miami Shores, Florida.

SEC. 336. Of the amounts available under the urban high density program for the project designated in the State of Indiana, such amounts may be used for the reconstruction of an interchange of the subject project with the Borman Expressway.

SEC. 337. Notwithstanding any other provision of law, funds made available from the withdrawal of the I-205 bus lanes under section 142 of Public Law 100-17, and previously appropriated funds from the withdrawal are available for locally designated transit projects in Portland, Oregon until expended.

SEC. 338. (a) None of the funds provided in this Act shall be available to implement title V, section 3 of Public Law 102-143 until the Federal Aviation Administration has published a Final Rule reducing the sampling rate for random drug testing of airline employees to 10 percent annually.

(b) Section 614(a)(1) of the Federal Aviation Act of 1958, 101 Stat. 953, is amended by inserting the following before the last sentence therein: "Regulations under this subsection or any other authority shall not require the rate of random testing to exceed, (i) for the use of alcohol, 10 percent annually, or (ii) for the use of controlled substances, 10 percent annually."

Mr. LEHMAN of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title III of this bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. Are there points of order against the balance of title III of the bill?

For what purpose does the gentleman from Minnesota [Mr. OBERSTAR] rise?

POINT OF ORDER

Mr. OBERSTAR. Mr. Chairman, I make a point of order against section 338 of the bill which is legislation in an appropriation bill and a violation of clause 2 of rule XXI of the rules of the House of Representatives.

The CHAIRMAN (Mr. BOUCHER). Does anyone seek recognition in opposition to the point of order?

If not, for the reasons stated, the Chair rules that the point of order is sustained and the section is stricken.

Are there further points of order to the balance of title III of the bill?

For what purpose does the gentleman from New York [Mr. McNULTY] rise?

POINT OF ORDER

Mr. McNULTY. Mr. Chairman, I raise a point of order against the language contained in section 328 on pages 63 and 64 of the bill.

Mr. Chairman, I raise a point of order against the language on the ground that it constitutes legislation on an appropriations bill and, therefore, violates clause 2 of rule XXI.

Section 328 authorizes the Administrator of the Federal Aviation Administration to make certain noncompetitive appointments to the position of air traffic controller and, thereafter, to

convert such appointments to the competitive service. Under existing law, applicants for air traffic controller positions must pass a competitive examination administered by the Office of Personnel Management in order to be eligible for appointment.

The legislation clearly proposes to change existing law and, therefore, violates clause 2 of rule XXI.

The CHAIRMAN. Does any Member seek recognition in opposition to the point of order?

For what purpose does the gentleman from Minnesota [Mr. SABO] rise?

Mr. SABO. Mr. Chairman, I frankly have to concede the point of order, but I have to express my deep disappointment that the point of order is raised. This is a provision which deals with a very specialized program of collegiate training of air traffic controllers. It is a unique, experimental program that is working; it is being a model for a new training system for air traffic controllers in this country and a very cost-effective method, a method that provides for well-trained air traffic controllers.

The program is being frustrated by archaic rules of OPM which they are unwilling to change.

So I am disappointed that the point of order is being raised. I think OPM is just clearly wrong. On the other hand, I concede the point of order and would hope that the committee of jurisdiction would be able to get OPM to change their archaic rules which are preventing a very worthwhile and useful program from progressing.

Frankly, what it does is it leaves in the lurch a number of young students who have gone through an extensive training program. Thirty-five of them are currently waiting, who have done their academic training, whom FAA wants to place around the country in needed air traffic controller jobs and simply cannot do it because of archaic OPM rules.

So I express my disappointment.

Mr. Chairman, Members of the House, and Chairman CLAY, I ask that you withdraw your point of order against section 328 of the bill. This provision provides noncompetitive appointments by the Administrator of the Federal Aviation Administration for the position of air traffic controller. This program is very important to the future of our Nation's air traffic control system.

In April 1990, Minnesota began a unique program to train air traffic controllers in an academic setting at the Mid-American Aviation Resource Consortium [MARC]. This was done as an alternative to the Federal Aviation Administration's [FAA] Academy. The program has been supported by Congress for the past 4 years and \$2,000,000 has been included in fiscal year 1993.

To date the MARC program has graduated 56 students. The FAA has hired 46 of them and an additional 35 graduates are eligible but unable to be hired because of a hiring freeze in place at the FAA. However, the FAA has positions available for the students and wants

to place them. Students have even been asked to choose the area of the country they would prefer once hiring authority is granted. If this provision is not allowed we will lose these highly trained graduates, future graduates, and an opportunity to find a better way to train air traffic controllers. The MARC program is 100 percent federally funded and if we cut it we will have wasted more taxpayer money.

The FAA has been trying to recruit more minorities and women into the field of air traffic control and the Minnesota program is leading the way. Over 50 percent of its students are in these categories. The program does this by targeting minority institutions, providing assistance to the needy, and recruiting nationally.

All MARC students have a 2 or 4-year college degree prior to admittance and the program itself takes 6 months to complete. The curriculum has been developed in direct cooperation with the FAA and graduates are able to productively contribute the first day they report to work for the FAA.

With all the successes, however, problems continue to exist. The most difficult of these are connected with the hiring process. Because of the closing of the register and the FAA hiring freeze, new MARC graduates cannot be hired. That is why I asked section 328 be included.

The MARC program was developed as a cost-effective alternative to the FAA's Academy. Employing these graduates is imperative to testing the validity of these alternative pre-hire training initiatives. Not providing this language will destroy this and other programs. Not letting this and other programs continue will cost the Federal Government a chance to find out if air traffic control candidates can be trained better by institutions outside the FAA and before they are hired. There are indications that these alternative schools actually do a better job. For example, over 50 percent of the FAA's graduates wash out while all the Minnesota graduates are still working at the agency.

By providing highly motivated, well-trained air traffic control candidates and an excellent research and development site for development and testing of innovative instructional techniques and technologies, the MARC program is performing a valuable service to the Federal Government. This effort should be continued.

The MARC program continues to meet or exceed every requirement set forth by the FAA. While the program has not attempted to change FAA policies and procedures, the FAA has itself identified the need to change some policies and procedures. With this in mind, I ask that the point of order be withdrawn.

The CHAIRMAN. For what purpose does the gentleman from New York [Mr. McNULTY] rise?

Mr. McNULTY. Mr. Chairman, I just wish to state to my distinguished colleague that I make this point of order on behalf of another Member, the chairman of the Post Office and Civil Service Committee.

The CHAIRMAN (Mr. BOUCHER). The point of order is conceded and sustained, and section 328 is stricken from the bill.

Are there additional points of order to this title?

If not, are there amendments to title III of the bill?

For what purpose does the gentleman from Minnesota [Mr. OBERSTAR] rise?

AMENDMENTS EN BLOC OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. Mr. Chairman, I offer amendments en bloc made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Mr. OBERSTAR:

Page 65, strike line 9 and all that follows through line 22.

Page 65, line 23, strike "333" and insert "330".

Page 66, line 4, strike "334" and insert "331".

Page 66, line 11, strike "335" and insert "332".

Page 66, line 18, strike "336" and insert "333".

Page 66, line 23, strike "337" and insert "334".

The CHAIRMAN. Under the rule, the gentleman from Minnesota [Mr. OBERSTAR] will be recognized for 10 minutes, and a member in opposition will be recognized for 10 minutes.

Does any Member seek to be recognized in opposition to the amendments en bloc?

For what purpose does the gentleman from Michigan rise?

Mr. CARR. Mr. Chairman, I am in opposition to the amendments en bloc.

The CHAIRMAN. The gentleman from Michigan [Mr. CARR] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, these amendments en bloc strike three sections of the bill. Section 332 of the bill prohibits funding for any program, any program, to check criminal histories of aviation employees for security purposes.

□ 1340

This provision directly, clearly, and as a blunt instrument undermines security legislation, now law, that grew out of the Pan Am 103 bombing in 1988.

A year and a half ago the Congress passed the Aviation Security Act of 1990 that implemented the recommendations of the Presidential Commission on Aviation Security and Terrorism, on which I served, and on which the gentleman from Arkansas [Mr. HAMMERSCHMIDT] served and on which we spent nearly 10 months of inquiry and deliberation to make recommendations to tighten up security so that a tragedy of this kind that killed 270 people could never again happen.

The provision in this bill would undermine one of the key features of that

legislation and of the Commission's recommendations, and that is to make sure that criminals do not get into the security system. There was a very clear directive in that 1990 legislation that the FAA, quote: "issue regulations to require employment investigations, including criminal history and record checks," as the administrator determines necessary.

I understand that the airline industry is opposed to these checks, and I understand, I concede, that the FAA's initial rulemaking proposal may have been overly broad. But the FAA Administrator has clearly indicated that the agency is reviewing that original proposal, and they are going to be making changes in it. The rulemaking process is not yet complete. It is only in progress.

The industry has taken a throw-out-the-baby-with-the-bathwater approach, by including language in this appropriation bill to prohibit any background check program.

Mr. Chairman, I cannot in conscience agree with that. I cannot face the families of the victims of Pan Am 103 and say, "We have made the world less secure. Your loss was somehow in vain." I cannot stand idly by and let that happen.

The better solution is through legislation from our committee. The Subcommittee on Aviation and the full Committee on Public Works and Transportation, have reported out just a week ago legislation clarifying that the law gives the administrator of FAA discretion to determine the situations in which criminal history checks will be required; that approach is far better than taking this blunt instrument approach and saying, "Don't do any background checks at all." The approach of the committee, in this provision in the appropriation bill, would simply open up the security system for criminals to penetrate, and I do not think we want to do that.

Section 331 prohibits funding for planning and executing a passenger manifest program, unless it applies to foreign airlines, as well as U.S. airlines. Well, one of the biggest problems that the families of the victims of Pan Am 103 faced was trying to find out if one of their loved ones who was supposed to be on that flight was in fact on that flight, was in fact among the victims. The passenger manifest information was in disarray. The State Department did not have it; the airline did not want to give it out or did not have complete information. The Commission report recommended and the legislation enacting the recommendations of that commission required the planning and development of a program for issuing of passenger manifests and then be put into place. We cannot regulate what foreign carriers do, except under internationally-negotiated documents in a manner of international ac-

cords. What we could legislate upon we did legislate upon.

The families of the victims of Pan Am 103 strongly support the development of the passenger manifest program, and they want to see it implemented, they want to see this program carried out in the way that we have proposed, the way the law sets forth, and now comes this provision in the appropriation bill. It says, "Don't go forward with the rulemaking until you impose the same requirement on foreign carriers."

The negotiations to accomplish that purpose are under way. They take time; I understand that diplomatic negotiations always take time, but we should not stop a program just because foreign carriers are not immediately doing exactly the same thing.

Finally, Mr. Chairman, section 330 would prohibit levying of passenger facility charges on passengers who travel with a frequent flyer ticket. I agree that should not be done. The 1990 legislation did not envision any such levy of passenger facility charges. We have reported legislation out of the Committee on Public Works and Transportation that will soon come to the floor which makes it very clear in a proper authorizing process that such PFC should not be imposed. We must not take that step in an appropriation bill when the authorizing committee has acted, and when, first of all, the law is very clear. We do not think that the law ought to be reinterpreted in an appropriation bill. In the legislation reported out of the full Committee on Public Works, we simply reemphasize the clarity of the law respecting PFC's and frequent flyer tickets. I do not think we ought to legislate in the appropriation bill a matter that is clearly within the jurisdiction of the Committee on Public Works and Transportation and upon which this committee has taken appropriate action.

Mr. Chairman, I reserve the balance of my time.

Mr. CARR. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Subcommittee of the Committee on Appropriations, the gentleman from Florida [Mr. LEHMAN].

Mr. LEHMAN of Florida. Mr. Chairman, I rise in opposition to the en bloc amendment. The amendment would strike three sections from the bill that deal with passenger facility charges, the passenger manifest program, and criminal background checks.

I believe that the legislative history on passenger facility charges is clear. Congress did not intend that PFC's should be collected on frequent flyer and other tickets on which no fare is paid. Since the intent of Congress is not being followed, passengers are being subjected to unwarranted PFC collections. I believe the prohibition in the bill will be a clear statement by the Congress that this practice should be stopped.

With regard to the passenger manifest program, the bill language prohibits the Department of Transportation from issuing a final rule that only applies to U.S. carriers. The Department has issued an ANPRM which would require U.S. airlines to compile manifests for international flights that include the name of the passenger, the name of a next of kin and an emergency contact number. We believe that if the Department anticipates that this regulation will be beneficial to the U.S. citizens flying internationally, then it should apply to both U.S. and foreign flag carriers.

The imposition of such a regulation only on U.S. airlines could provide a competitive advantage to foreign flag carriers. Those carriers would not have to bear the cost associated with implementation of the regulation or cope with the operational irregularities and passenger inconvenience resulting from passengers being confronted with the requirement to confirm this additional information prior to boarding international flights.

The bill language does not prohibit a final rule. It merely requires that the rule apply to both foreign and domestic carriers. I believe this is fair.

Finally, the bill contains language prohibiting the FAA from issuing a final rule requiring criminal background checks for 500,000 airline and airport employees. We support the FAA's efforts to improve security, but believe the pending NPRM will not effectively contribute to efforts to combat terrorism or upgrade airline security.

We believe the airline industry's track record shows that the current system works. I am not aware of any incident of aviation terrorism that has been caused by a U.S. airline or airport employee. I am concerned that the rule, as proposed, would subject employees to unnecessary and intrusive investigations. It would also involve operational and civil rights costs with no demonstrated improvement to aviation security. Therefore, I believe that further action on the rulemaking is unwarranted.

I urge that the en bloc amendment be defeated.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Chairman, I thank the gentleman from Minnesota [Mr. OBERSTAR] very much for yielding this time to me, and I rise in very strong support of this amendment.

Sympathetic as I am to the objectives of the provisions that we seek to strike in this amendment, this is clearly the wrong place to be dealing with these issues. These are issues that have already been fully considered in the Committee on Public Works and Transportation. We have, in fact, included similar provisions in a piece of pending

legislation, and I would be very sympathetic to having them included in another piece of legislation more likely to be enacted into law, since the bill which includes the provisions presently has not moved to the floor and may not. But this is clearly an inappropriate place for these items to be considered.

On the background checks, the bill prohibits funding for any program to check the criminal history of aviation employees for security purposes. This is way beyond anything I think we should be considering. The provision undermines legislation that grew out of the Pan Am 103 bombing which the gentleman from Arkansas [Mr. HAMMERSCHMIDT] and the gentleman from Minnesota [Mr. OBERSTAR] were members of the commission that studied the tragedy, and the Aviation Security Act of 1990 implemented recommendations of the Commission on Aviation Security and Terrorism, and among the provisions was a requirement imposed on FAA to issue regulations to require employment investigations, and criminal history and record checks as the administrator determines necessary. So, I think that is clearly a provision that I would agree with the industry that FAA's proposed rule is too expansive, and I do not believe that the current employees with many years of service should be subject to the same background checks as new applicants.

□ 1350

So as I say, I am sympathetic to the objectives of the committee provisions, but must protest the inclusion of legislation in this appropriations bill. Its a terrible precedent.

Mr. Chairman, I rise in very strong support of this amendment.

Mr. CARR. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. GINGRICH], the distinguished minority whip.

Mr. OBERSTAR. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia.

The CHAIRMAN. The gentleman from Georgia [Mr. GINGRICH] is recognized for 2½ minutes.

Mr. GINGRICH. Mr. Chairman, let me say that I rise with some reluctance, because as someone who has served on Public Works, I understand these kinds of jurisdictional fights and where it is right to do something. But I have to say that I thought the Federal Aviation Administration so grotesquely overreached and proposed rules that were so absurd and so counterproductive and at a time when our airline industry is in such economic trouble, that I regard this as a jobs vote.

Representing one of the largest airports in America and having a real interest in ensuring that our airlines industry remains healthy and viable, and knowing that we just in the last few

weeks had another small airline go bankrupt, that we have several airlines that are in severe economic distress, the regulations that were proposed would have cost literally over \$1 billion if implemented and provide almost no useful information.

The fact is that the terrorism problem we are concerned about is in Greece and Germany. It is not in the United States. The FBI will report routinely that we do a remarkable job of containing potential terrorism in the United States. To spend over \$1 billion on Government-mandated regulatory red tape for no achievement in an industry which is in economic straits I think would be a major mistake.

So on behalf of the jobs that currently exist in the aviation industry and on behalf of defending those jobs, and frankly in opposition to totally unnecessary regulation that I think would not accomplish anything at the security level, I am reluctantly but firmly urging a no vote.

I always hesitate to disagree with my good friends from the committee, but I just think in this case this is the right time to do it, because we know it will be enacted. So I strongly ask for a "no" vote.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I do not differ with the gentleman from Georgia [Mr. GINGRICH] that the FAA was overly broad in the NPRN. There is no question that they did reach too far. They are revising that NPRN.

Would the gentleman not agree that imposing a requirement that no background check be undertaken is too far in the other direction?

Mr. GINGRICH. Mr. Chairman, I think that would be right, if in fact it was not already correct that the airlines themselves engage in background checks. I just think that the language in the appropriations bill is legitimate language, given the economic problems of the airlines, and I cannot imagine any security advantage worth the jobs that will be killed if this, even in this modified form, goes into effect.

So, Mr. Chairman, I respectfully urge a "no" vote, and hope my colleagues will join me in defense of jobs.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Chairman, I strongly support this amendment. Its adoption is needed to ensure the continued safety of our airlines.

Mr. Chairman, I want to identify myself with the remarks of the distinguished chairman of the subcommittee and the ranking member of the subcommittee.

Mr. Chairman, the purpose of this amendment is to strike provisions that would undermine safety and security

laws recently passed by Congress. While the provisions to be struck address important aviation issues, most of them are already addressed in H.R. 5466, which was approved by the Public Works and Transportation Committee last week. This bill should be brought to the floor later this month.

When one looks at each of the provisions individually, it is apparent that the bill before us now takes the wrong approach.

For example, this bill would prevent all criminal background checks of aviation employees. While I agree that the FAA went too far in proposing that all employees should be checked, it would be wrong to take the totally opposite approach and prohibit all background checks. In my view, the Public Works bill takes the proper approach by directing FAA to be more selective in deciding which employees should be subject to background checks.

With respect to drug testing, again we have a situation where the FAA may have gone too far in requiring a 50-percent random testing rate for aviation employees. However, this bill goes too far the other way. There is no basis for the 10-percent testing rate in this bill. Adopting it could undermine aviation safety. The more appropriate response is the one in the Public Works Committee's bill. That requires FAA to adopt a rule within 1 year establishing the appropriate lower testing rate.

In addition to my concerns about the merits of each of the items here, I am also concerned about the procedure. Although many of these provisions are structured as funding limitations, they are really legislative in nature. Moreover, they intrude into areas recently considered, or currently being considered, by both the Foreign Affairs Committee and the Public Works and Transportation Committee. It is wrong to allow these sorts of items to be included in an appropriation bill. They should go through the normal legislative process.

Therefore, I urge this body to strike these provisions by voting "aye" on the Oberstar amendment.

Mr. CLINGER. Mr. Chairman, will the gentleman yield?

Mr. HAMMERSCHMIDT. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, I would just like to make the point, if it has not already been made in this debate, that the administration is strongly supportive of this amendment and is opposed to the provisions in the appropriations bill.

Mr. CARR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in responding, particularly with respect to the criminal background checks, we know that the Presidential commission did a good job and it was the job of the Subcommittee on Aviation of the Committee on Public Works to implement those recommendations.

With all due respect to my good friends on the authorization side, reading through the language of their handiwork it is really very confusing, at least, and mandatory at worst, that fingerprints of all 500,000-some airline employees would be required under this legislation.

Mr. Chairman, I have heard the statement of the gentleman from Minnesota [Mr. OBERSTAR], and I know him to be very concerned about this issue, both from the standpoint of security and from the standpoint of legislation doing the right things. But I have had numerous conversations with people at the FAA who have read the language, as have I, and really cannot determine whether fingerprints are mandated or merely suggested.

In some portions of the authorization language it says "may." In some other sections it says "shall."

There has probably been over 2 million dollars' worth of lawyers' time trying to figure out what our good friends on the authorization committee really are requiring of the FAA. It may be well and clear in the mind of the chairman of the subcommittee, but I would tell the gentleman that it is not clear in the minds of so many who are going to have to implement this.

Mr. Chairman, I want to also reluctantly associate myself with the reasoning of my good friend, the gentleman from Georgia [Mr. GINGRICH], just as he was reluctantly opposing the committee.

The fact of the matter is we have an airline industry that is in deep economic straits right now. In these pieces of legislation coming out of the Committee on Public Works, both the drug testing and the manifest issue where ticket agents are going to have to ask people coming before them, this flight is about to leave for London, and in case it does not get there, who do you want us to notify, a requirement that will not be required of foreign carriers, and then these criminal background checks.

We are imposing burdensome regulations which have very little, if any, positive output and a great deal of cost to an already overburdened industry. There is absolutely no evidence that the kinds of terrorists who caused the tragedy of Pan Am flight 103 would ever be caught by fingerprints. Terrorists do not operate in an environment where they get fingerprinted.

In point of fact, we have never had a case where these fingerprints would have prevented a tragedy. There is only one example, a PSA flight in California, where a disgruntled employee took a handgun on a plane and shot the crew in the middle of a flight, a tragedy. Because this individual had never been arrested and had never been convicted of a felony, his fingerprints were not on file and he would not have been caught in this screen.

Mr. Chairman, we would ask Members to support the bill and support our chairman.

Mr. Chairman, I yield 1 minute to my good friend, the gentleman from Michigan [Mr. CONYERS].

□ 1400

Mr. CONYERS. Mr. Chairman, fingerprints is another issue that is really quite disturbing. It is my impression, as has already been testified here and supported by the CIA Director, who was also the former Director of the FBI, that we are not going to improve airline security. And we are going to increase the costs immeasurably.

Although I am not clear on why the authorizing subcommittee chairman would be as adamant as he apparently is about this subject, I am very, very hopeful that we would vote against any amendment to strike these provisions that have been proposed to be removed en bloc by the gentleman from Minnesota.

Mr. CARR. Mr. Chairman, I yield my remaining minute to the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Chairman, we hear a lot about unnecessary and counterproductive regulation, and this is an example of what that is all about. When we come to regulating an industry, we have to take the costs and the benefits in mind. And what we have is a proposal to regulate an industry, and the benefits do not outweigh the costs.

What this will do will take \$1 billion out of the hide of the airline industry. Who is going to pay for that?

Well, the consumers are going to pay for that, and the airline employees are going to pay for that. Are the benefits that we derive from this type of regulation worth that type of cost? No way.

The fact is, there will be a minimal amount of benefit to the public in terms of added security, but a great deal of added cost at a time when the airlines are on the verge of going bankrupt.

The last thing we need to do is impose upon them needless and counterproductive regulation that will add to their costs but will not benefit the consumer or the air traveling public. What we are going to do is protect the public and protect the public by driving our airlines right into bankruptcy. It is not worth the cost.

I rise in opposition to this amendment.

Mr. OBERSTAR. Mr. Chairman, one brief point, the smallest minute detail leaves a criminal investigation to the criminal. Do not remove that one opportunity.

Mr. Chairman, I yield the balance of my time to the gentleman from Florida [Mr. FASCELL].

The CHAIRMAN. The gentleman from Florida [Mr. FASCELL] is recognized for 30 seconds.

Mr. FASCELL. Mr. Chairman, I thank the gentleman for yielding time

to me, and I rise in support of the pending amendment.

I have never heard so much chaff thrown in the radar screen in listening to the arguments against this amendment in all my life. It is one simple proposition: We either want to protect the traveling public or we do not.

And after 2 years of studying and a recommendation by a Presidential commission, two authorizing committees, actions of the Congress of the United States, all we are saying is, give the opportunity to protect the families that are traveling.

I rise in support of the Oberstar-Clinger en bloc amendment and wish to speak specifically on the passenger manifest provision.

The passenger manifest issue was a major recommendation of the Pan Am 103 Commission and favorably considered by the Foreign Affairs and Public Works Committee during hearings on the legislation.

The passenger manifest provision of the Pan Am 103 legislation represented a compromise with the airlines and the Departments of State and Transportation.

The horrible experiences of the victims' families with the airline, The Department of State, Transportation and other Federal agencies compounded the tragedy of the Pan Am 103 disaster.

The provision which was enacted and which the DOT appropriations bill seeks to prohibit would ensure that the families of victims of an aviation disaster outside the United States would be treated in a humane and dignified way by the Federal Government and by the airlines. One of the most glaring problems in dealing with the Pan Am 103 disaster was the U.S. Government's inability to contact the next of kin in a timely and orderly fashion because of the inadequacies and inaccuracies in the airlines system for maintaining records of who is on board a particular flight.

If the prohibition of funds concerning passenger manifest information requirement and procedures for turning over manifest to the Department of State are not implemented, how will the airlines and DOT respond to the families of the new victims of yet another aviation terrorism tragedy when it is business as usual and all the positive changes of the Pan Am 103 legislation are rescinded?

With regard to the concern that the passenger manifest requirement is only the U.S. airlines, let me set the record straight. The legislation made it clear that foreign carriers are to be covered by the law. The Pan Am 103 legislation calls on the DOT and State to either use regulatory procedures under part 129 of the Federal Aviation Act and/or negotiate with foreign governments under the on going bilateral aviation talks or additionally on a multilateral level at the ICAO. The provision was always intended to be extended to foreign air carriers. The reality is that the U.S. Government must first promulgate regulations for U.S. carriers to set the standard and then the coverage can be extended to foreign carriers. I have always made it clear that we should require the foreign carriers to adopt as high a level of security as U.S. carriers. DOT has been dilatory in implementing the requirements to begin with.

However I am pleased to note that today I received a copy of the OMB approved Department of Transportation's regulation for the passenger manifest requirement, it clearly states this regulation applies to covered flights operated by air carriers and foreign air carriers. Therefore, the Department of Transportation is finally going to promulgate the regulation concerning passenger manifest and it will be on an equivalent basis. Therefore, the argument made by U.S. air carriers that the passenger manifest applies only to U.S. air carriers puts the U.S. air carrier at an economic disadvantage is not valid.

In the last 10 years over 800 Americans have been involved in an international airlines disaster. In addressing the needs of the victims' families, the United States does not differentiate the nationality of the airline, that point is irrelevant to the families facing their grief.

The passenger manifest requirement is a means to an end. The information required is for the Department of State to better respond in a more timely and humane way to the victims' families.

There are many ways of collecting such information, it does need to be an expensive costly endeavor. For example, a passenger could fill out a form prior to departure, similar to a customs form or the baggage claim. That form would be kept until the plane arrives at its next destination; otherwise the information would be used to compile the passenger manifest.

The bottom line is that we owe the American public to not turn back change but to implement the provisions of the Pan Am 103 legislation which would have improved procedures and accountability. We cannot turn the clock back, and I am sorry to say there will be more terrorism. This scourge has subsided but is not over.

I have said so many times but will reiterate, I fully appreciate that no law or regulation however perfectly implemented, will provide a 100-percent guarantee against heinous acts of international terrorism. However, we must do everything in our power to protect the traveling American public. It is appalling that the regulations have not been implemented at this late date. Let's get off the dime, and move ahead in concert, the Government and airlines. The traveling American public expects no less. Support the Oberstar-Clinger amendment.

The CHAIRMAN. All time has expired.

The question is on the amendments en bloc offered by the gentleman from Minnesota [Mr. OBERSTAR].

The question was taken; and the Chairman announced that the yeas appeared to have it.

RECORDED VOTE

Mr. OBERSTAR. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 68, noes 348, not voting 18, as follows:

[Roll No. 278]

AYES—68

Abercrombie	Anderson	Applegate
Allard	Andrews (NJ)	Bacchus

Ballenger	Gonzalez	Pickett
Beilenson	Goodling	Roe
Bentley	Goss	Rostenkowski
Borski	Gradison	Roukema
Clement	Hammerschmidt	Sangmeister
Clinger	Hancock	Savage
Cooper	Hobson	Sensenbrenner
de la Garza	Inhofe	Shays
DeFazio	Jones (NC)	Shuster
Doolittle	Kanjorski	Stump
Duncan	Kyl	Sundquist
Early	Lipinski	Swift
Emerson	Marlenee	Taylor (NC)
English	McCollum	Trafigant
Evans	Meyers	Upton
Fascell	Mineta	Vento
Fawell	Mollinari	Vucanovich
Gekas	Nowak	Waxman
Gephardt	Oberstar	Williams
Gillmor	Payne (VA)	Young (AK)
Gilman	Petri	

NOES—348

Alexander	Dixon	Johnson (CT)
Allen	Donnelly	Johnson (SD)
Andrews (ME)	Dooley	Johnston
Andrews (TX)	Dorgan (ND)	Jones (GA)
Annunzio	Dornan (CA)	Jontz
Anthony	Downey	Kaptur
Army	Dreier	Kasich
Aspin	Durbin	Kennedy
Atkins	Dwyer	Kennelly
AtCoin	Dymally	Kildee
Baker	Eckart	Klecza
Barrett	Edwards (CA)	Klug
Barton	Edwards (OK)	Kolbe
Bateman	Edwards (TX)	Kolter
Bennett	Engel	Kopetski
Bereuter	Erdreich	Kostmayer
Berman	Espy	LaFalce
Bevill	Ewing	Lagomarsino
Billbray	Fazio	Lancaster
Billrakis	Feighan	Lantos
Blackwell	Fields	LaRocco
Bliley	Fish	Laughlin
Boehlert	Flake	Leach
Boehner	Foglietta	Lehman (CA)
Boucher	Ford (MI)	Lehman (FL)
Boxer	Ford (TN)	Levin (MI)
Brewster	Frank (MA)	Levine (CA)
Brooks	Franks (CT)	Lewis (CA)
Broomfield	Frost	Lewis (FL)
Browder	Galleghy	Lewis (GA)
Brown	Gallo	Lightfoot
Bruce	Geldenson	Lloyd
Bryant	Geren	Long
Bunning	Gibbons	Lowey (NY)
Burton	Gilchrest	Luken
Bustamante	Gingrich	Machtley
Byron	Glickman	Manton
Callahan	Gordon	Markey
Camp	Grandy	Martin
Campbell (CA)	Green	Martinez
Cardin	Guarini	Matsui
Carper	Gunderson	Mavroules
Carr	Hall (OH)	Mazzoli
Chandler	Hall (TX)	McCandless
Chapman	Hamilton	McCloskey
Clay	Hansen	McCrery
Coble	Harris	McCurdy
Coleman (MO)	Hastert	McDade
Coleman (TX)	Hayes (IL)	McDermott
Collins (IL)	Hefley	McEwen
Collins (MI)	Henry	McGrath
Combest	Herger	McHugh
Condit	Hertel	McMillan (NC)
Conyers	Hoagland	McMillen (MD)
Costello	Hochbrueckner	McNulty
Coughlin	Holloway	Mfume
Cox (CA)	Hopkins	Michel
Cox (IL)	Horn	Miller (CA)
Coyne	Horton	Miller (OH)
Cramer	Houghton	Miller (WA)
Crane	Hoyer	Mink
Cunningham	Hubbard	Moakley
Dannemeyer	Huckaby	Mollohan
Darden	Hughes	Montgomery
Davis	Hunter	Moody
DeLauro	Hutto	Moorhead
DeLay	Hyde	Moran
Dellums	Ireland	Morella
Derrick	Jacobs	Morrison
Dickinson	James	Mrazek
Dicks	Jefferson	Murphy
Dingell	Jenkins	Murtha

Myers	Riggs	Stallings
Nagle	Rinaldo	Stark
Natcher	Ritter	Stearns
Neal (MA)	Roberts	Stenholm
Neal (NC)	Roemer	Stokes
Nichols	Rogers	Studds
Nussle	Rohrabacher	Swett
Oakar	Ros-Lehtinen	Synar
Obey	Rose	Tallon
Olin	Roth	Tanner
Olver	Rowland	Tauzin
Ortiz	Roybal	Taylor (MS)
Orton	Russo	Thomas (CA)
Owens (NY)	Sabo	Thomas (GA)
Owens (UT)	Sanders	Thomas (WY)
Packard	Santorum	Thornton
Pallone	Sarpallius	Torres
Panetta	Sawyer	Torricelli
Parker	Saxton	Towns
Pastor	Schaefer	Unsoeld
Patterson	Scheuer	Valentine
Paxon	Schiff	Vander Jagt
Payne (NJ)	Schroeder	Visclosky
Pease	Schumer	Volkmer
Pelosi	Serrano	Walker
Penny	Sharp	Walsh
Perkins	Shaw	Washington
Peterson (FL)	Sikorski	Waters
Peterson (MN)	Sisisky	Weber
Pickle	Skaggs	Weiss
Porter	Skeen	Weldon
Poshard	Skelton	Wheat
Price	Slaterry	Whitten
Pursell	Slaughter	Wilson
Quillen	Smith (FL)	Wise
Rahall	Smith (IA)	Wolf
Ramstad	Smith (NJ)	Wolpe
Rangel	Smith (OR)	Wyden
Ravenel	Smith (TX)	Wyllie
Reed	Snowe	Yates
Regula	Solomon	Yatron
Rhodes	Spence	Young (FL)
Richardson	Spratt	Zeliff
Ridge	Staggers	Zimmer

NOT VOTING—18

Ackerman	Hatcher	Lowery (CA)
Archer	Hayes (LA)	Oxley
Barnard	Hefner	Ray
Bonior	Johnson (TX)	Schulze
Campbell (CO)	Lent	Solarz
Gaydos	Livingston	Traxler

□ 1425

Messrs. WISE, DYMALLY, BUSTAMANTE, NEAL of Massachusetts, MAVROULES, LEWIS of Florida, SYNAR, and BROWN changed their vote from "aye" to "no."

Messrs. INHOFE, PAYNE of Virginia, KYL, UPTON, MCCOLLUM, and STUMP changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. OBERSTAR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the overwhelming vote on the preceding amendment is evidence that the committee has spoken. It is also evidence of what can happen when two very powerful and often at-odds interests join forces.

I take this moment to emphasize for my colleagues what happened just a moment ago. This body approved retaining in the transportation appropriation bill a prohibition against the FAA to issue any rulemaking that provides for any criminal background investigation of any airline or airport employee. It opens a huge gap in aviation security. God forbid that another Pan Am 103 should occur in the time while this limitation is in effect.

But I just want my colleagues to understand that in a kind of quiet legislative hysteria generated by two interests who thought that they were being disadvantaged by a lousy notice of proposed rulemaking—a notice of proposed rulemaking, not a final rule, not a final law issued by the FAA but a notice which is in process of being changed, on which the authorizing committee has just said to the FAA, you should change that rulemaking in legislation that we will soon bring to the floor; in contrast, this is a total prohibition against doing anything. That is wrong.

Members have voted to open a gap in the aviation security network. I hope none of us will live to regret it. I hope that, in conference, this provision will be fought by the other body.

□ 1430

The administration was right in opposing the language in the appropriation bill. The FAA should proceed with a rulemaking. It should be modest and responsive and responsible.

But this was not responsible, this preceding vote. I regret the action of the House only because I spent a solid 10 months on the Presidential Commission on Aviation Security and Terrorism investigating the tragedy of Pan Am 103, joined by my colleague, the gentleman from Arkansas [Mr. HAMMERSCHMIDT], and the gentleman from Florida [Mr. FASCELL], chairman of the Committee on Foreign Affairs, working to plug the gaps in security for air travelers. We put an awful lot of ourselves into this issue on behalf of the families of the victims of Pan Am 103, and to prevent future tragedies. I regret to see that work undermined and undercut by the just preceding vote.

AMENDMENT OFFERED BY MR. MINETA

Mr. MINETA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MINETA: Page 67, after line 16, insert the following new section:

SEC. 389. (a) Title VI of the Federal Aviation Act of 1958 (49 U.S.C. App. 1421-1433) is amended by adding at the end the following new section:

"SEC. 614. DUTY TIME OF FLIGHT ATTENDANTS.

"(a) RULEMAKING PROCEEDING.—Not later than 60 days after the date of the enactment of this section, the Secretary shall initiate a rulemaking proceeding for the purpose of establishing limitations on duty time for flight attendants, including minimum rest requirements.

"(b) FINAL REGULATIONS.—Except in any case in which the prohibitions referred to in subsection (c) take effect, the Secretary shall issue, not later than 240 days after the date of the enactment of this section, final regulations establishing limitations on duty time for flight attendants, including minimum rest requirements as follows:

"(1) For domestic and international flights, at no point during a duty period

shall a flight attendant exceed a maximum of 14 hours of scheduled duty time, plus a maximum of 2 additional hours spent deadheading to return to the flight attendant's domicile. A scheduled minimum rest period (after such duty period) shall equal at least 10½ consecutive hours, block-in to block-out.

"(2) For short-range intercontinental flights, at no point during a duty period shall a flight attendant exceed a maximum of 16 hours of scheduled duty time, plus a maximum of 2 additional hours spent deadheading to return to the flight attendant's domicile. A scheduled minimum rest period (after such duty period) shall equal at least 12½ consecutive hours, block-in to block-out.

"(3) For long-range intercontinental nonstop flights, duty time shall not exceed the scheduled duty time by more than 4 hours and, in any event, shall be no greater than 20 hours of actual duty time. A scheduled minimum rest period (after such duty period) shall equal the scheduled length of the duty period.

"(4) For all flight attendants, a minimum of eight 24 consecutive hour rest periods block-in to block-out per bid month, and at least one 24 hour consecutive rest period within every 7 calendar days. For trip pairings exceeding 7 days in length with no scheduled 24-hour rest period, a minimum of a scheduled 48-hour consecutive rest period will be provided upon return to domicile.

"(5) For all flight attendants, at least a continuous 1 hour rest break on any flight or segment thereof scheduled for 9 hours or more of flight time in a designated rest area.

"(c) MANDATED PROHIBITIONS.—If the Secretary does not initiate a rulemaking proceeding under subsection (a) before the 60th day following the date of the enactment of this section or does not issue final regulations under subsection (b) before the 240th day following such date of enactment, no air carrier may after such date operate an aircraft using a flight attendant who has been on duty more hours, or who has had fewer hours of rest, than those required by paragraphs (1) through (5) of subsection (b).

"(d) MODIFICATION OF MANDATED PROHIBITIONS.—The Secretary may issue regulations modifying the prohibitions contained in paragraphs (1) through (5) of subsection (b) if the Secretary determines that such modifications are in the interest of safety and transmits a copy of the modifying regulations to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Public Works and Transportation of the House of Representatives. The modifying regulations may not take effect until the expiration of the 90-day period beginning on the date of the transmittal of the modifying regulations to such committees.

"(e) DEFINITIONS.—In this section, the following definitions apply:

"(1) AIR CARRIER.—The term 'air carrier' means any air carrier which is subject to the provisions of part 121 or part 135 of title 14 of the Code of Federal Regulations.

"(2) DESIGNATED REST AREA.—The term 'designated rest area' means a passenger seat of an aircraft assigned for crew rest purposes.

"(3) DOMESTIC FLIGHT.—The term 'domestic flight' means any flight or segment of a flight worked by a flight attendant totally within the continental United States.

"(4) DUTY TIME.—The term 'duty time' means all time worked for an air carrier with respect to flight duties and shall begin

at the required report time and shall end when released by the carrier. Duty time accrues until the crewmember is scheduled for a required rest period by the carrier. Time spent deadheading, either on an aircraft or by surface transportation, to or from an assignment by an air carrier, time spent ferrying, and time spent attending meetings and training shall also be considered duty time. Duty time continues—

"(A) throughout a rest period of a shorter duration than that contained in subsection (b)(1), (b)(2), or (b)(3), as the case may be; and

"(B) during in-flight rest periods contained in subsection (b)(5).

"(5) INTERNATIONAL FLIGHT.—The term 'international flight' means any flight worked by a flight attendant for which a take off or landing is scheduled outside the continental United States, excluding intercontinental flights.

"(6) SHORT-RANGE INTERCONTINENTAL FLIGHT.—The term 'short-range intercontinental flight' means a transcontinental flight scheduled for less than 14 hours flight time.

"(7) LONG-RANGE INTERCONTINENTAL NONSTOP FLIGHT.—The term 'long-range intercontinental nonstop flight' means a single nonstop intercontinental flight scheduled for 14 hours or more of flight time.

"(8) REPORT TIME.—The term 'report time' means a time period of at least 30 minutes prior to the scheduled departure time of the first flight or segment of flight in a flight attendant's duty period or the time the flight attendant is required to report to work, whichever is earlier.

"(9) REST.—The term 'rest' means uninterrupted time free from all duty, block-in to block-out.

"(10) SCHEDULED FLIGHT TIME.—The term 'scheduled flight time' means the elapsed time of a flight of an air carrier based on the times shown in schedules published for the air carrier.

"(11) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

"(f) TREATMENT OF DUTY PERIOD WITH DOMESTIC AND INTERNATIONAL FLIGHT SEGMENTS.—A duty period with both domestic and international flight segments shall be treated as international flying for the purpose of calculating duty and rest requirements under this section if the majority of the flight time during that duty period is on an international segment and domestic flying if the majority of the flight time during that duty period is on a domestic segment."

(b) The table of contents contained in the first section of the Federal Aviation Act of 1958 is amended by adding at the end of the matter relating to title VI the following:

"Sec. 614. Duty time of flight attendants.

"(a) Rulemaking proceeding.

"(b) Final regulations.

"(c) Mandated prohibitions.

"(d) Modification of mandated prohibitions.

"(e) Definitions.

"(f) Treatment of duty period with domestic and international flight segments.

The CHAIRMAN. Under the rule, the total time for debate on this amendment is limited to 20 minutes.

The gentleman from California [Mr. MINETA] will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

Does a Member seek recognition in opposition?

Mr. CARR. Mr. Chairman, I rise in opposition, and I seek the time.

The CHAIRMAN. The gentleman from Michigan [Mr. CARR] will be recognized for 10 minutes in opposition.

The Chair recognizes the gentleman from California [Mr. MINETA].

MODIFICATION TO AMENDMENT OFFERED BY MR. MINETA

Mr. MINETA. Mr. Chairman, I ask unanimous consent that my amendment be modified.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. MINETA: Page 67, after line 16, insert the following new section:

SEC. 399. (a) Title VI of the Federal Aviation Act of 1958 (49 U.S.C. App. 1421-1433) is amended by adding at the end the following new section:

"SEC. 614. DUTY TIME OF FLIGHT ATTENDANTS.

"(a) RULEMAKING PROCEEDING.—Not later than 60 days after the date of the enactment of this section, the Secretary shall initiate a rulemaking proceeding for the purpose of establishing limitations on duty time for flight attendants, including minimum rest requirements.

"(b) FINAL REGULATIONS.—Except in any case in which the prohibitions referred to in subsection (c) take effect, the Secretary shall issue, not later than 240 days after the date of the enactment of this section, final regulations establishing limitations on duty time for flight attendants, including minimum rest requirements as follows:

"(1) For domestic and international flights, at no point during a duty period shall a flight attendant exceed a maximum of 14 hours of scheduled duty time, plus a maximum of 2 additional hours spent deadheading to return to the flight attendant's domicile. A scheduled minimum rest period (after such duty period) shall equal at least 10½ consecutive hours, block-in to block-out.

"(2) For short-range intercontinental flights, at no point during a duty period shall a flight attendant exceed a maximum of 16 hours of scheduled duty time, plus a maximum of 2 additional hours spent deadheading to return to the flight attendant's domicile. A scheduled minimum rest period (after such duty period) shall equal at least 12½ consecutive hours, block-in to block-out.

"(3) For long-range intercontinental nonstop flights, duty time shall not exceed the scheduled duty time by more than 4 hours and, in any event, shall be no greater than 20 hours of actual duty time. A scheduled minimum rest period (after such duty period) shall equal the scheduled length of the duty period.

"(4) For all flight attendants, a minimum of eight 24 consecutive hour rest periods, block-in to block-out per bid month, and at least one 24-hour consecutive rest period within every 7 calendar days. For trip pairings exceeding 7 days in length with no scheduled 24-hour rest period, a minimum of a scheduled 48-hour consecutive rest period will be provided upon return to domicile.

"(5) For all flight attendants, at least a continuous 1 hour break on any flight or segment thereof scheduled for 9 hours or more of flight time in a designated rest area.

"(c) MANDATED PROHIBITIONS.—If the Secretary does not initiate a rulemaking proceeding under subsection (a) before the 60th day following the date of the enactment of this section or does not issue final regula-

tions under subsection (b) before the 240th day following such date of enactment, no air carrier may after such date operate an aircraft using a flight attendant who has been on duty more hours, or who has had fewer hours of rest, than those required by paragraphs (1) through (5) of subsection (b).

"(d) MODIFICATION OF MANDATED PROHIBITIONS.—The Secretary may issue regulations modifying the prohibitions contained in paragraphs (1) through (5) of subsection (b) if the Secretary determines that such modifications are in the interest of safety and transmits a copy of the modifying regulations to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Public Works and Transportation of the House of Representatives. The modifying regulations may not take effect until the expiration of the 90-day period beginning on the date of the transmittal of the modifying regulations to such committees.

"(e) DEFINITIONS.—In this section, the following definitions apply:

"(1) AIR CARRIER.—The term 'air carrier' means any air carrier which is subject to the provisions of part 121 or part 135 of title 14 of the Code of Federal Regulations.

"(2) DESIGNATED REST AREA.—The term 'designated rest area' means a passenger seat of an aircraft assigned for crew rest purposes.

"(3) DOMESTIC FLIGHT.—The term 'domestic flight' means any flight or segment of a flight worked by a flight attendant totally within the continental United States.

"(4) DUTY TIME.—The term 'duty time' means all time worked for an air carrier with respect to flight duties and shall begin at the required report time and shall end when released by the carrier. Duty time accrues until the crewmember is scheduled for a required rest period by the carrier. Time spent deadheading, either on an aircraft or by surface transportation, to or from an assignment by an air carrier, time spent ferrying, and time spent attending meetings and training shall also be considered duty time. Duty time continues during in-flight, rest periods contained in subsection (b)(5).

"(5) INTERNATIONAL FLIGHT.—The term 'international flight' means any flight worked by a flight attendant for which a take off or landing is scheduled outside the continental United States, excluding intercontinental flights.

"(6) SHORT-RANGE INTERCONTINENTAL FLIGHT.—The term 'short-range intercontinental flight' means a intercontinental flight scheduled for less than 14 hours flight time.

"(7) LONG-RANGE INTERCONTINENTAL NONSTOP FLIGHT.—The term 'long-range intercontinental nonstop flight' means a single nonstop intercontinental flight scheduled for 14 hours or more of flight time.

"(8) REPORT TIME.—The term 'report time' means a time period of at least 30 minutes prior to the scheduled departure time of the first flight or segment of a flight in a flight attendant's duty period or the time the flight attendant is required to report to work, whichever is earlier.

"(9) REST.—The term 'rest' means uninterrupted time free from all duty, block-in to block-out.

"(10) SCHEDULED FLIGHT TIME.—The term 'scheduled flight time' means the elapsed time of a flight of an air carrier based on the times shown in schedules published for the air carrier.

"(11) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

"(f) TREATMENT OF DUTY PERIOD WITH DOMESTIC AND INTERNATIONAL FLIGHT SEGMENTS.—A duty period with domestic, international and intercontinental flight segments shall be treated as intercontinental flying for the purpose of calculating duty and rate requirements under this section if the majority of the flight time during that duty period is on an intercontinental segment and domestic international flying if the majority of the flight time during that duty period is on a domestic or international segment."

(b) The table of contents contained in the first section of the Federal Aviation Act of 1958 is amended by adding at the end of the matter relating to title VI the following:

"Sec. 614. Duty time of flight attendants.

"(a) Rulemaking proceedings.

"(b) Final regulations.

"(c) Mandated prohibitions.

"(d) Modification of mandated prohibitions.

"(e) Definitions.

"(f) Treatment of duty period with domestic and international flight segments."

Mr. MINETA (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. COUGHLIN. Mr. Chairman, reserving the right to object, we have not seen the modification yet. Could we reserve the right to object until we could observe or look at the modification?

Mr. MINETA. Mr. Chairman, if the gentleman will yield, the copies were distributed to the minority.

Mr. COUGHLIN. Mr. Chairman, we have just this minute received them.

Mr. MINETA. I am sorry; we distributed it earlier to the minority side, and I apologize for the inadequacy of your own staff then to provide it, because it was very specifically told to my own staff to be distributed, and it was distributed earlier.

Mr. COUGHLIN. Mr. Chairman, under my reservation of objection, could I ask the gentleman to explain?

Mr. MINETA. Mr. Chairman, will the gentleman yield?

Mr. COUGHLIN. Further reserving the right to object, I yield to the gentleman from California.

Mr. MINETA. Mr. Chairman, we made technical changes to the amendment to carry the term intercontinental through the legislation. We added the category of intercontinental duty time as the result of our negotiations to compromise with Delta Air Lines.

Mr. Chairman, again, I am sorry because of the noise here, but we made technical changes to the amendment to carry the term intercontinental throughout the legislation. We added the category of intercontinental duty at the time as the result of our compromise in negotiations with Delta Airlines.

Mr. COUGHLIN. Mr. Chairman, if I might object for the moment until we

have a chance to review this and then ask the gentleman from California to renew his request. I am not trying to hold up the proceedings. I am just trying to make sure we understand what is being done.

The CHAIRMAN. Does the gentleman from California withdraw his request for the modification at this time?

Mr. MINETA. No; at this time we will just proceed, I assume, on the basis of the modifications with the gentleman from Pennsylvania reserving the right to object.

Mr. COUGHLIN. Reserving my right to object.

The CHAIRMAN. Does the gentleman from Pennsylvania object?

Mr. COUGHLIN. I object at this time.

The CHAIRMAN. Does the gentleman from Pennsylvania object to the unanimous-consent request concerning the reading of the modification?

Mr. COUGHLIN. No; no. I do not object concerning the reading of the modification.

The CHAIRMAN. Is there objection to the request of the gentleman from California that the modification be considered as read and printed in the RECORD?

There was no objection.

The CHAIRMAN. Does the gentleman from Pennsylvania insist on his reservation with regard to the modification itself?

Mr. COUGHLIN. Mr. Chairman, I object at this time to the modification.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentleman from California.

Mr. MINETA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering an amendment to include an amended version of H.R. 14, the Flight Attendant Duty Time Act, as a provision in the 1993 transportation appropriation legislation.

During the first session of this Congress, the House of Representatives approved H.R. 14 with the bipartisan support of the House Public Works and Transportation Committee leadership.

Our colleague, Transportation Appropriations Chairman BILL LEHMAN, also supported this important safety legislation during last summer's consideration.

Mr. Chairman, this amendment will limit the amount of time flight attendants can be on duty to 14 hours for domestic flights and 16 hours for international flights.

Surveys of foreign countries with flight attendant duty time regulations show that 14 hours of domestic duty is the general standard. The U.S. could be falling well below the international safety standard.

Flight attendants perform important safety duties and have been designated by the Federal Aviation Administration [FAA] as safety sensitive employees.

However, the Federal Aviation Administration has been unable to move on the duty time issue for 12 years. This lack of action on a safety issue is extremely distressing.

I have correspondence from the FAA dating back as far as April 21, 1978, which states that the FAA planned to issue a notice of proposed rulemaking [NPRM] on flight duty time rules by the end of that year.

As some of you know, Delta Airlines expressed some concerns about this proposal. During several meetings with the Delta Airlines representatives, we were able to isolate their concerns and address them in this agreement.

Specifically, we revised the classification of international flight to reflect intercontinental trips. We also changed the lengths of rest periods to bring them in line with the pilots regulations.

As you all know, safety is, first and foremost, my greatest priority and I refuse to compromise it. Legitimate concerns were raised by Delta Airlines and I believe that we are adequately addressing these concerns in this amendment.

Mr. Chairman, I must stress that this is not a labor-management issue. As I said before, the FAA recognizes the importance of the safety duties performed by flight attendants and have designated flight attendants as safety sensitive employees.

Mr. Chairman, the United States should be the world leader on aviation issues. Our air travel system is a source of pride for our Nation. We must continue this tradition when addressing all aviation safety issues.

Mr. Chairman, I urge my colleagues to support this amendment to the 1993 Transportation appropriations legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. COUGHLIN. Mr. Chairman, if the gentleman from California wishes to renew his unanimous-consent request to modify his amendment, I will not object to the modification, although I do oppose the amendment.

The CHAIRMAN. The Chair would advise the gentleman that request is pending.

Is there objection to the request of the gentleman from California to modify his amendment?

There was no objection.

Mr. CARR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first and foremost, I would like to congratulate my good friend and colleague from California. He has worked very, very hard on this issue for a number of years. He has looked into this in greater detail than most Members of Congress, and I know that he holds his beliefs about the legislation very firmly and with great intellectual fervor.

The original amendment that the gentleman sought to amend the Trans-

portation appropriation bill, in my judgment, was flawed, and in the committee when it was offered there, I opposed it.

□ 1440

This is a case of line drawing. It is indeed true that flight attendants are safety sensitive employees and we need them for safe air travel.

They are also employees, and there is the employer-employee relationship.

I think it is all too frequent sometimes that those people who are safety employees use the safety angle of their employment a little broader than they really ought to. They use it to gain some leverage and some advantage in the labor-management negotiations, and I think that is understandable.

So the gentleman from California and I might draw that line a little differently, and indeed on his amendment before our subcommittee as it was presented I in fact did oppose the amendment; however, the gentleman from California is also an outstanding legislator. He is a person who will meet someone halfway. He is a person who will try to get the job done and do the best he can under the circumstances at the time.

So Mr. Chairman, in the spirit of the gentleman's compromise and with the modifications of his amendment which I have reviewed and find less objectionable than the amendment as originally offered in committee, I would join the gentleman in support of his amendment, as modified.

Mr. Chairman, since I have not had any requests for time, I yield back the balance of my time.

Mr. COUGHLIN. Mr. Chairman, I thought the gentleman from Michigan was in opposition. If he is not, I am.

Mr. CARR. Mr. Chairman, I yield the remaining time that I have to the gentleman from Pennsylvania.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. COUGHLIN] is recognized.

Mr. COUGHLIN. Mr. Chairman, I thank the gentleman for the time.

I understand and appreciate the great concern of the gentleman from California, who is indeed an expert in this area and who is a splendid colleague and a good friend. I am, however, constrained to object to this amendment.

There is no indication, according to the Federal Aviation Administration, that this amendment and the imposition of these work rules for flight attendants would create any increase in safety. By mandating protections in excess of those for pilots and imposing new reporting and other compliance costs, it could cost the airlines \$1 billion over 15 years and severely damage an industry already suffering significant financial hardship, and all this for no safety gain. There is no demonstrable safety gain as a result of this legislation.

When the legislation was before us once before, and this is purely legislation on an appropriations bill, it was indicated that should this be part of our bill it would be cause for a suggested veto. It seems to me we are unduly burdening this bill with something that could cause a veto or be an additional reason for causing a veto.

There is other legislation to which supporters of this amendment could attach it. The Public Works Committee has just reported H.R. 5466 dealing with airline economic matters. That would be an appropriate measure for this amendment. The Senate is certain to take up that subject.

This is not the appropriate way to do it, if indeed the subject is an appropriate thing for legislation. This is probably a labor-management matter that should be resolved between labor and management in the aviation industry, but certainly should not be resolved in the bill in the way that we are going about it at the moment, with changes that we still do not fully understand.

This is not an amendment that should be here. I would hope that we would oppose the amendment and I would hope that the amendment will be voted down so that we can pass the bill as it was, as I indicated initially and, as it was reported from the committee.

We have had a good bill. If we start adding other things to it, we are going to get a bill that will cause some real problems. I hope that we can go ahead with the bill because it is an important bill for transportation in the United States of America and I hope we will pass it unburdened.

Mr. MINETA. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. LEHMAN], the distinguished chairman of the Subcommittee on Transportation of the Committee on Appropriations.

Mr. LEHMAN of Florida. Mr. Chairman, I thank the gentleman from California for yielding me this time.

I rise in support of this amendment. As the gentleman from California has previously stated, I have supported similar legislation in the past and I certainly support his position.

The gentleman from California has worked long and hard to work out accommodations and compromises to make his amendment viable, and I urge that the amendment be agreed to.

Mr. COUGHLIN. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. MINETA. Mr. Chairman, I would like to enter into a colloquy with the gentleman from Georgia [Mr. LEWIS]. I yield myself such time as I may consume, and I yield to the gentleman.

Mr. LEWIS of Georgia. Mr. Chairman, I want to thank my friend for yielding to me.

Will the gentleman from California explain the meaning of the term

"scheduled duty time" as used in section 614(b)(1) and throughout the amendment?

Mr. MINETA. The term "scheduled duty time" as used in the flight attendant duty time amendment is a term the Federal Aviation Administration has used for many years in enforcing its current work and rest restrictions for pilots. The FAA considers scheduled duty time to mean the scheduled work day of a pilot which encompasses the time between when a pilot is required to report to work and the time such pilot is released from flight duties.

In enforcing the pilot rules, the FAA has established a practice of calculating the number of scheduled work hours by adding the amount of time actually worked on any given flight or flights during a work period to the amount of time projected to be worked during the same flight or flights during a work period to the amount of time projected to be worked during the same flight or flights subject to these regulations.

Although this legislation is intended to impose flight attendant duty and rest requirements on the basis of duty time rather than the flight time regulation presently applicable to pilots, it is also intended to require the FAA to use comparable work and rest time calculation methods in enforcing flight attendant work and rest requirements which the FAA currently uses for pilots.

Mr. LEWIS of Georgia. Mr. Chairman, I thank the gentleman from California for this explanation, and again I thank my chairman.

Mr. MINETA. Mr. Chairman, I yield 2 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Chairman, this amendment affects the safety of every member of the flying public. This is most emphatically not a labor-management issue as such.

It requires the FAA to set duty time standards for flight attendants, just as it does for pilots.

Flight attendants are the crucial safety link between passengers and the cockpit.

Their response can literally mean the difference between life and death for hundreds of passengers.

For skeptics, I can point to one incident in my own State of Hawaii when the skin of the aircraft literally peeled away from the frame.

Tragically, one flight attendant lost her life. But not a single passenger was lost.

This was attributed to the coolness and courage of the surviving flight attendant.

This amendment recognizes the vital safety role of these trained, skilled professionals.

The passengers who fly with them are entitled to the assurance that their

flight attendants are as alert and rested as their pilots.

Let us adopt this amendment today.

□ 1450

Mr. COUGHLIN. Mr. Chairman, I will only say that the matters cited by the distinguished gentleman from Hawaii do not relate to flight attendants' rest and duty time, particularly. The FAA has performed a survey of the practices of flight attendants, and they reveal most of them are covered by collective bargaining agreements. Again, there is no quantifiable safety benefit that would relate to adopting this amendment that the Federal Aviation Administration can determine. To adopt an amendment and a standard for which there is no quantifiable safety benefit does not seem justified.

Mr. MINETA. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. I thank the gentleman for yielding, and I say that I appreciate very much the gentleman from California having worked very closely with one of the major corporations in Georgia that I work with a great deal, which is Delta Air Lines. And as this bill has been improved, I think that many of us who opposed it earlier on the floor now find something we can vote for. I want to thank my friend from California for working diligently on this and for shaping this amendment in a form I can support it. So I am going to vote for it.

Mr. COUGHLIN. Mr. Chairman, I yield back the balance of my time.

Mr. MINETA. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment as modified, offered by the gentleman from California [Mr. MINETA].

The amendment as modified, was agreed to.

The CHAIRMAN. Are there further amendments to title III of the bill?

Mr. GLICKMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to talk for just a brief minute about a section of the law that the FAA, Department of Transportation, administers, called the International Air Transportation Competition Act of 1979.

I cannot offer an amendment to the bill, because it would probably be legislating on an appropriations bill. But this legislation is commonly referred to as the Wright amendment, named after our former Speaker, Jim Wright. The effect of the language in the law—and I have raised this issue in previous legislative times—has to do with the field airports in Dallas, TX, particularly with respect to the airport at Dallas Love Field. The Wright amendment would and does restrict air traffic out of Dallas Love Field to points within the State of Texas and to the contiguous State of Texas.

The net effect of this, which was done about 12 or 13 years ago, is to restrict competition for air fares and service throughout vast parts of this great country of ours. Love Field is the only airport in America in which the Federal Government tells you where you can fly to.

And so I bring my colleagues this issue right now because just last week, on June 30, the Federal Trade Commission issued a report on the Wright amendment. And this lengthy report concludes by saying that the analysis shows that removing the restrictions of the Wright amendment may result in lower air fares both at DFW and at Love Field as well as reduced delays and commuting costs to air passengers.

The FTC study is a lengthy one, but it clearly and unequivocally shows the Wright amendment restricts competition and raises air fares not only for people in places like Wichita, Omaha, Memphis, and St. Louis, but also in the State of Texas as well.

So, while I cannot offer the amendment today, I urge my colleagues to read the Federal Trade Commission report and I will do my best to continue to fight for the elimination of this restrictive anticompetitive piece of legislation which has been on the books far too long.

The CHAIRMAN. Are there additional amendments to title III of the bill?

Mr. COUGHLIN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. COUGHLIN] is recognized for 5 minutes.

Mr. COUGHLIN. Mr. Chairman, we have, as I understand it, two additional 20-minute amendments that are still to be considered and then we have the amendment by the distinguished Republican leader, the gentleman from Illinois [Mr. MICHEL], also ahead of us, which I hope would be supported by the body. And then we will be following that with an amendment by the gentleman from Wisconsin [Mr. OBEY] which I hope would be opposed by the body.

I hope that we can get through with this bill before the evening becomes too late. Our chances of getting through with it will be much enhanced if we can keep the bill intact and not unduly amend the bill. That will also enhance our chances of having a bill that will be passed and signed by the President and will expedite the proceedings for this House and for the Committee on Appropriations.

Mr. Chairman, I again want to urge my colleagues, as they look at the further amendments to the bill, in particular the OBEY amendment which will be coming up, to remember that this bill is a good bill as it stands. It does not need further amendment. I hope we will not start taking funds from other areas and trying to transfer them into

the transportation area, as has been suggested by the gentleman from Wisconsin, in a way that violates the budget agreement.

Mr. Chairman, it has been said that this does not tear down the firewalls, but it certainly does at least replace the firewalls for this purpose, which will be most certainly requiring a veto by the administration.

It has also been said that the amount of money would not be applied to the deficit. Well, obviously, money that we do not spend, if we do not spend it, is applied to the deficit. If indeed we do not spend the money that is in the foreign operations account, then that will result in a decrease in the deficit. On the other hand, if we transfer it to the transportation account and spend it, it will increase the deficit.

So I hope that as we proceed that we do the right thing in trying to restrict our spending and restrict the deficit.

I understand that the gentleman from Texas may be seeking recognition.

AMENDMENT OFFERED BY MR. MINETA

Mr. MINETA. Mr. Chairman, I offered an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MINETA: Page 67, after line 16, insert the following:

SEC. 339. TEMPORARY MATCHING FUND WAIVER

(a) INCLUSION OF TRANSIT PROJECTS.—Section 1054(a) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 120 note; 105 Stat. 2001) is amended—

(1) by inserting "for payment with funds apportioned" after "the Secretary";

(2) by inserting "or for payment with funds apportioned or allocated under section 3, 9, or 18 of the Federal Transit Act" before "and of";

(3) by inserting "or under section 3, 9, or 18 of the Federal Transit Act" before "during the"; and

(4) by striking "the State" and inserting "the recipient of such funds";

(b) REPAYMENT.—Section 1054(b) of such Act is amended—

(1) by striking "any State" and inserting "any recipient of funds described in subsection (a)";

(2) by striking "the State" each place it appears and inserting "the recipient";

(3) by striking "1994" and inserting "1995";

(4) by inserting "or the General Fund of the Treasury, as appropriate," after "Highway Trust Fund"; and

(5) by striking "or allocation" after "apportionment".

(c) DEDUCTION FROM APPORTIONMENTS.—Section 1054(c) of such Act is amended—

(1) by striking "a State" and inserting "a recipient of funds described in subsection (a)";

(2) by striking "the State" and inserting "the recipient";

(3) by inserting "or from funds apportioned or allocated to the recipient under section 3, 9, or 18 of the Federal Transit Act, as appropriate," after "United States Code," the first place it appears;

(4) by striking "1995 and 1996" each place it appears and inserting "1996 and 1997";

(5) by inserting "under title 23, United States Code, or a pro rata share of apportioned or allocated funds under section 3, 9, or 18 of the Federal Transit Act, as appropriate" before the period at the end of the first sentence;

(6) by inserting "or reapportioned or re-allocated under section 3, 9, or 18 of the Federal Transit Act, as appropriate," after "United States Code," the second place it appears; and

(7) by striking "those States" each place it appears and inserting "those recipients".

(d) QUALIFYING PROJECT DEFINED.—Section 1054(d) of such Act is amended—

(1) by inserting "before, on, or" after "obligated to pay"; and

(2) by striking "the Governor of the State" and inserting "the recipient of funds described in subsection (a)".

(e) APPROVAL OF WAIVER REQUESTS.—Section 1054 of such Act is amended by adding at the end the following new subsection:

"(e) APPROVAL OF WAIVER REQUEST.—The Secretary shall approve any request submitted to the Secretary under this section for an increase in the Federal share of the cost of a project on or before the 45th day after the date of receipt of such request."

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect December 18, 1991.

□ 1500

The CHAIRMAN. The Chair inquires of the gentleman from California [Mr. MINETA] if he is offering the amendment on behalf of the gentleman from Iowa [Mr. NAGLE].

Mr. MINETA. That is correct, Mr. Chairman.

The CHAIRMAN. The gentleman from California [Mr. MINETA] under the rule will be recognized for 10 minutes, and a Member in opposition will also be recognized for 10 minutes.

Is there a Member who seeks to be recognized for 10 minutes in opposition?

Mr. COUGHLIN. Mr. Chairman, I am in opposition to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. COUGHLIN] will be recognized in opposition, and the Chair first recognizes the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment extends to transit projects the temporary matching fund waiver provisions that were included under section 1054 of the Intermodal Surface Transportation Efficiency Act of 1991 for highways.

The recipient of Federal funds for highway and transit projects would be provided the authority to request a temporary waiver of the non-Federal share for transportation projects.

Mr. Chairman, the Congress made a commitment to the Nation last year when we approved the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA].

This legislation laid the groundwork for an innovative and effective transportation network. It is now time to make this vision a reality.

However, we are seeing that the States and localities are facing the se-

verest budget crises in their histories. ISTEA won't work unless our State and local partners get some help.

This amendment comes at a time when it is desperately needed—in terms of our infrastructure—and our Nation's economic health.

At a time when the White House is in economic disarray—when they continue to deny the effects of the economic recession, we have before us an amendment that will help the ISTEA legislation achieve one of its major goals: creating at least 2 million jobs.

And while the people of 1600 Pennsylvania Avenue haven't seen or felt the effects of the recession, Mr. Chairman, you have only to ask the people of Bethlehem, PA, if there is a recession.

Or the people of Chicago, IL.

Or the people of Lafayette, LA.

Or the people of San Jose, CA, and they will tell you that our economy is hungry for stimulation. These people are counting on the economic and infrastructure benefits and improvements that this temporary match waiver will generate.

It is now absolutely essential that America do more than reverse the collapse of our annual transportation investment from 2.3 percent of our gross national product in the 1960's and 1970's to four-tenths of 1 percent from the 1980's to this very day.

Mr. Chairman, this amendment is fair.

The repayment of the non-Federal share would not have to be made until March 30, 1995. This is just an extension of just 1 year before the repayment must be made.

If the repayments are not made by March 30, 1995 and credited to the appropriate apportionment or allocation accounts, the Secretary must deduct the necessary repayment amounts from apportionments or allocations made for fiscal years 1996 and 1997.

This amendment will help States and localities get over the hump—and get to the business of rebuilding America.

Mr. Chairman, I urge my colleagues to support the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. COUGHLIN. Mr. Chairman, my colleagues, this is a really bad amendment, waiving the local match. Not only is it a bad amendment because it does not require the States and local communities to put up their share of the match of projects, but in a very real way, in a very real way, this may actually delay the expenditure of Federal money, delay the jobs, delay the projects because, as the investment is postponed, the States do not have to reinvest the waived match in infrastructure projects until March 1995.

In other words, Mr. Chairman, if they delay the match this year, but they have to repay it next year, they may not have to pay it until March 1995, and

nothing would then be done in ensuing years. This can cost jobs and money would go unspent, and that is an important factor.

The amendment also does not give, does not give, the Secretary of Transportation any discretion in the approval of a waiver. Now that is very important because some of these projects, in the case of transit projects, for example, are worth hundreds of millions of dollars, and there is no guarantee that there will be future year funds to withhold if the waiver is not repaid.

What we are saying here is: "You waive the funds for this year, but they'll have to be repaid by the local governments next year, or you withhold Federal funds, but the Federal funds won't be there to withhold in these multimillion dollar projects if you don't have a local waiver."

So, Mr. Chairman, this is a really very bad amendment. This is something we fought out in the dire emergency supplemental in the conference with the Senate where they tried to waive the match there. We were successful in succeeding to defeat this there.

Again, Mr. Chairman, we are just mounting up the things that would call for a veto of this bill. I would hope my colleagues would not include again legislation in an appropriations bill. We are just overburdening the bill, and this is a bad idea, one that has not been thought through carefully and one that I hope my colleagues will defeat.

Mr. Chairman, I reserve the balance of my time.

Mr. MINETA. Mr. Chairman, I yield 1 minute to the very distinguished chairman of the Subcommittee on Transportation of the Committee on Appropriations, the gentleman from Florida [Mr. LEHMAN].

Mr. LEHMAN of Florida. Mr. Chairman, I thank the gentleman from California [Mr. MINETA], my friend, for yielding this time to me.

Mr. Chairman, I rise in support of this amendment. It essentially provides an additional year of time to repay the match and that gives the States additional flexibility. It will probably expedite jobs for the highway program.

I urge adoption of the amendment.

Mr. COUGHLIN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan [Mr. CARR].

Mr. CARR. Mr. Chairman, I reluctantly rise in opposition to the amendment. I understand what the proponents of the amendment are trying to do, and I think they have some good ideas. I also understand that States and localities are having some initial difficulty ramping up to the new requirements of the ISTEA legislation.

Mr. Chairman, the thing that I worry about is somebody who, hopefully, down the line will be making some decisions on this kind of thing. The thing

I worry about the most is that some of these communities are really not going to surmount the political courage necessary to do the things required to get these matches, and they are going to postpone their own discipline in getting the matches together, and then we will be back here in a year or so, maybe 2 years, being asked to forgive the matches, and those communities that mustered the political courage to do those things necessary to get the matches early will be penalized, and I just think this is an unwise way to proceed, and I oppose the amendment.

Mr. MINETA. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. NAGLE], the coauthor of the amendment.

Mr. NAGLE. Mr. Chairman, I think it is time we face the reality that it is not just the Federal Government that is broke, but that States, and municipalities and counties are broke too. MPO's are as broke as we are here in the Nation's Capital; 35 of 50 States, in fact, are running deficits. Sixty percent of the cities and towns of this country are running deficits. To tell them that in order to get a needed road project or a needed public works project started they have to find 20 percent and put it on the front end, in order to bring the 80 percent that the Federal Government is matching into play, in essence is to deny them the opportunity to ever start the project.

Flint, MI, for example, has a \$17 million road project. Flint is forced to choose between raising taxes or not doing the road project on an already strapped budget. It puts them in the same difficult quandary many of our States and cities are finding themselves in.

Mass transit repairs in Chicago are not being done because the city cannot find the 20 percent.

□ 1510

This legislation opens the spigot of Federal construction across this country, which was the commitment of ISTEA. It makes it possible for States to get those projects started, for cities to initiate those efforts, and then put their 20 percent in on the end. It makes it possible to use the economic activities and revenues generated by those activities to complete those projects, put people to work, and make ISTEA a reality, and to make jobs in construction in this country to rebuild our infrastructure a reality.

It has the strong support of the Black Caucus, the strong support of the Urban Caucus, the strong support of the U.S. Conference of Mayors and other organizations that are involved within the construction industry and are concerned about jobs in this country, and which are concerned about jobs in this country now.

It does not forgive the 20 percent; it simply gives States flexibility to put

the money in when they need to and when they can and when they can afford to, and get people to work today.

Mr. COUGHLIN. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DELAY], a member of the subcommittee.

Mr. DELAY. Mr. Chairman, I reluctantly rise to oppose this amendment, especially in the face of the gentleman from California [Mr. MINETA].

I concur with the gentleman from Michigan [Mr. CARR] in his opposition to this amendment and all the issues the gentleman raises about matching funds. I just want to add, No. 1, that this is bad policy; and, No. 2, this does not guarantee that the waiver will ever be paid back.

First off, it is bad policy, because we are allowing locals to determine what happens with Federal funds, and directly determine where those funds are allocated. I think that is very bad policy, because all the locals have to do is apply for a waiver, meet certain criteria, and the Secretary of Transportation has no discretion but to make this waiver. I think that is terrible policy.

Second, the amendment does not preclude the waiving the amounts larger than what a recipient will receive in future years. There may be, therefore, insufficient funds against which to deduct the repayment if the waived funds are not repaid. So once again there is no guarantee that a local match would ever be paid.

The CHAIRMAN. The Chair would advise that the gentleman from California [Mr. MINETA] has 3½ minutes remaining, and the gentleman from Pennsylvania [Mr. COUGHLIN] has 5 minutes remaining.

Mr. MINETA. Mr. Chairman, I yield such time as he may consume to the gentleman from Montana [Mr. WILLIAMS], who would like to enter into a colloquy with the distinguished chairman of the Subcommittee on Transportation of the Committee on Appropriations, the gentleman from Florida [Mr. LEHMAN].

Mr. WILLIAMS. Mr. Chairman, I appreciate the gentleman allowing me to interrupt the debate on his amendment for this purpose.

I appreciate the chairman's help in addressing the situation we have at Butte. Butte, MT, sits at 5,500 feet and is surrounded by peaks reaching up to 9,000 feet. The flight service station at Butte provides a critical service to pilots by providing advice about the best pathway through the Rocky Mountains of that area. The problem is that the initial study of flight service stations only considered the statistical weather directly above the airport; in Butte, the airport has reasonably stable weather patterns, but in the surrounding mountains the weather changes constantly. For example, the standard route from Bozeman to Butte passes

over the town of Whitehall, yet it's commonplace for the flight service people to advise pilots into alternative routes to avoid pockets of difficult mountain weather. Unfortunately, we've not been successful in persuading the FAA that this circumstance requires specific attention, and so the evaluation of services at Butte have not reflected the actual needs of pilots.

It would be my understanding, Mr. Chairman, that under this provision the FAA would be required to take a careful look at the circumstances posed by mountainous weather at Butte, and whether the particular circumstances indicate the need to maintain a flight service station there.

Mr. Chairman, am I correct in that understanding?

Mr. LEHMAN of Florida. Mr. Chairman, the gentleman is correct in his understanding. There are areas of this country where we must be very careful where they are attempting to close flight service stations, for safety reasons.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Arkansas [Mr. HAMMERSCHMIDT], the ranking member of the Committee on Public Works and Transportation.

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise to express concern about the amendment offered by my respected colleagues, Mr. MINETA, Mr. GEPHARDT, and Mr. NAGLE.

Although I understand the goal of the amendment, I believe it is unnecessary at this time. The Public Works and Transportation Committee currently is working on technical amendments to the Intermodal Surface Transportation Efficiency Act. In this process we are looking at ways to extend the temporary local share waiver to additional transit programs, and I believe the Public Works Committee's technical corrections' measure is the appropriate place to make such a change.

My second concern with this amendment is the extension of the State or local share payback requirement for both highway and transit programs by 1 year. I believe the existing payback provisions are quite reasonable and there has been no demonstration of the need to give States an additional year.

The longer these funds are out of circulation, the more our Nation's overall transportation funding is diminished. If less funding is available, important transportation projects must be postponed—and the desperately needed jobs these projects can stimulate will be postponed right along with them.

My third concern relates to the payback requirement for transit discretionary programs. Because of the discretionary nature of the section 3 program, we cannot be assured that adequate future funds would be due to section 3 recipients in order to enforce the payback requirements.

I believe this amendment is intended to permit waiver of the local share for section 3 programs only in cases where the Federal Transit Administration is able to determine that sufficient funds could be withheld from the recipient in future years to ensure that the local share is repaid. However, I believe this point needs clarification in the amendment.

Again, I wanted to express these concerns and emphasize that these issues would be best addressed in the context of the technical corrections measure currently under consideration by the Public Works and Transportation Committee.

Mr. MINETA. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Chairman, I rise in strong support of the amendment.

This amendment will allow States the flexibility to use its funds not to match the Federal funds, but to compliment the funds. Our State of Ohio is still a donor State though we get more than a \$1 for every \$1 because of the discretionary funds. In addition, our State needs the funds because we have the third oldest infrastructure in the country. For these and other reasons, this is a fine amendment.

Mr. MINETA. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of this amendment.

Given that the current unemployment rate is approaching 8 percent, it is time for this Congress to develop a comprehensive jobs package. This amendment will facilitate job creation.

Many of the jobs that were promised by the Intermodal Surface Transportation Efficiency Act may not be created, because State and municipal governments can not meet the match requirements to receive needed Federal funds. Thirty-five of our States and over 60 percent of our cities are facing budget difficulties. In these troubled times, we should not hinder our cities with unreasonable fiscal requirements.

This amendment would extend the existing match waiver as part of the ISTEA to include transit programs for fiscal year 1993. It also gives States and municipalities flexibility in the repayment of the match requirements. Lastly, it streamlines the process for waiver requests so that cities might begin creating transportation and infrastructure jobs as soon as possible. For this reason, this amendment is endorsed by the U.S. Conference of Mayors, the Congressional Black Caucus, and the Congressional urban caucus.

Mr. Chairman, the Nagle-Mineta amendment is a godsend in the absence of any Federal leadership to renew and improve our infrastructure in this country. We urgently need jobs, and what better application for American workers than to improve our infrastructure.

Mr. Chairman, in this case it is transit. For New York City and other urban centers it could be mass transit. These funds could be used to repair and renovate subways. What a godsend at this time when our subways are falling further and further into disrepair.

It could mean that we would buy new buses in New York City to replace the antiquated buses that we have now.

This is a godsend in time of need to enable us to put workers to work improving the quality of life in America by improving our decaying and deteriorating infrastructure. I urgently ask my colleagues to support this amendment.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from North Carolina [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I stand reluctantly to oppose this amendment. I appreciate the difficulties that led to this amendment and I appreciate the crunch that our States are experiencing in their financing of roads and transit projects. But I think to pass this amendment here today would be to invite trouble later.

We would likely be back here a couple of years from now dealing with requests for further delays in cost sharing, or dealing with requests for forgiveness.

This amendment also raises grave questions of fairness. After all, there are States in this Union that have met their obligations, that have come up with the matching funds, that have moved ahead with their highways and transit programs. They have come up with the matching funds, and there is no reason that other States should not do likewise. But this amendment would provide incentives to delay these obligations.

Requiring a State match for highway and transit programs is a longstanding and sound feature of this country's transportation policy. It promotes accountability and it promotes fiscal responsibility. The cost sharing provisions in present law and in this bill are fair and sufficiently flexible, and I urge they be retained.

Mr. COUGHLIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me just say that as is obvious from the discussion here, this is a very complicated matter that we should not be treating on an appropriations bill in this fairly cavalier fashion. It is bad policy. It is unfair to some communities. I hope the amendment will be defeated.

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. COUGHLIN. I yield to the gentleman from Texas.

□ 1520

Mr. DELAY. I just want the Members to understand that if this amendment

passes, the pot that goes to States all over this country is going to be diminished. If we have certain communities that cannot come up with the 20 percent, they are going to get projects and project moneys and not having to meet a local match. So the pot for those legitimate, viable projects will be greatly diminished by this amendment.

Mr. MINETA. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I rise in support of the Mineta-Gephardt amendment.

Mr. Chairman, I rise in support of the Mineta-Gephardt-Nagle amendment to allow State and local governments to waive their share of the match for transportation projects.

Last year's transportation infrastructure bill promised to rebuild America. But most importantly, it promised thousands of new jobs.

The recession has hit city governments hardest. They simply can't afford to put up their share to get their transportation projects off the ground. And they need relief.

Currently, match waivers are only allowed for highway programs. This amendment would allow waivers for transit programs as well.

Importantly, this waiver includes funding for mass transit operating subsidies—the basic funding systems need just to keep running.

Finally, it allows cities and metropolitan planning organizations who receive Federal transportation funds to speak for themselves—and not wait for the Governor to request all waivers.

As chairman of the congressional urban caucus, I support this amendment. It is good for my own city of Philadelphia and for cities across the country. It funds big-city transit systems. It puts people back to work. And it gets critical infrastructural projects off the ground. Vote "yes" on Mineta-Gephardt-Nagle.

Mr. MINETA. Mr. Chairman, I yield the balance of my time to our distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT].

The CHAIRMAN. The gentleman from Missouri [Mr. GEPHARDT] is recognized for 1 minute.

Mr. GEPHARDT. Mr. Chairman, I urge Members to vote for this amendment. The reason for it is very, very simple. We passed a highway bill last year that a lot of States and local governments need to use.

Some have not been able yet to put together the local match, but they are in the process of doing that. The bill we passed said States could get a waiver. This amendment simply says that in other instances, waivers can be achieved. It allows local governments as well as State governments to achieve a waiver.

It allows it for transit projects as well as highway projects, as the bill did last year. And finally, it simply says there will be an additional year in which to make the match.

It makes sense. It does not diminish the pot for other States. In fact, if we do not pass this amendment, there is

going to be money that will be left over that cannot be spent because the waivers are not available enough.

I urge Members to vote for this simple, straightforward and needed amendment so we can fulfill the promise of the highway and mass transit legislation of last year.

Mr. TOWNS. Mr. Chairman, I rise in support of the ISTEA amendment to H.R. 5518, the fiscal year 1993 Department of Transportation appropriations, offered by my good friends, Chairman NORM MINETA and Representative DAVE NAGLE.

This amendment addresses two major problems that we are facing as a Nation. We are losing money every year due to the diminishing quality of our Nation's bridges and roadways. The House Public Works Committee has cited the need to rebuild and rehabilitate our infrastructure. There is also that problem of high unemployment. Considering the current unemployment rate which now stands at almost 8 percent, Congress needs to enact legislation that will provide jobs for the American people. This amendment would help to do just that while also aiding the commencement of rehabilitation projects for our infrastructure.

The Intermodal Surface Transportation Efficiency Act [ISTEA] of 1991 which was approved by Congress was supposed to produce the jobs that we still seek today. However, many of these jobs may not be created due to the inability of State and local governments to meet the match requirement to receive Federal transportation funding.

We must eliminate the current impediments that the local and State governments have been facing in attempting to acquire Federal transportation funding and thus facilitate our efforts to create jobs and rebuild our infrastructure. I urge its adoption.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. MINETA].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. MINETA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 229, not voting 21, as follows:

[Roll No. 279]

AYES—184

Abercrombie
Anderson
Andrews (ME)
Andrews (NJ)
Annunzio
Applegate
Aspin
Atkins
AuCoin
Bacchus
Bellenson
Bennett
Bentley
Berman
Bevill
Bilbray
Blackwell

Bonior
Borski
Boucher
Boxer
Browder
Brown
Bruce
Bustamante
Cardin
Clay
Clement
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello

Coyne
Cramer
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dwyer
Dymally
Eckart
Edwards (CA)
Edwards (TX)

Engel
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Gejdenson
Gephardt
Gibbons
Guarini
Hall (OH)
Hamilton
Harris
Hayes (IL)
Hochbrueckner
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Hoyer
Hubbard
Jacobs
Jefferson
Johnson (SD)
Johnston
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lantos
LaRocco
Lehman (CA)
Lehman (FL)
Levin (MI)

Levine (CA)
Lewis (GA)
Lipinski
Long
Lowey (NY)
Markey
Marlenee
Martinez
Matsui
Mavroules
Mazoli
McCloskey
McDermott
McMillen (MD)
Mfume
Miller (CA)
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Moakley
Moody
Moran
Mrazek
Murphy
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Neal (MA)
Nowak
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Olver
Ortiz
Owens (NY)
Owens (UT)
Pallone
Panetta
Pastor
Payne (NJ)
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Poshard
Quillen
Rahall
Rangel

Ravenel
Reed
Roe
Roemer
Rostenkowski
Roybal
Russo
Sabo
Sanders
Sangmeister
Sawyer
Scheuer
Schumer
Serrano
Sharp
Sikorski
Skelton
Slaughter
Smith (FL)
Smith (IA)
Staggers
Stallings
Stokes
Studds
Sweet
Swift
Synar
Tanner
Torres
Torricelli
Traficant
Unsoeld
Vento
Washington
Waters
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yates

NOES—229

Allard
Allen
Andrews (TX)
Anthony
Army
Baker
Ballenger
Barrett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Boehler
Boehner
Brewster
Brooks
Broomfield
Bryant
Bunning
Burton
Byron
Callahan
Camp
Campbell (CA)
Carper
Carr
Chandler
Chapman
Clinger
Coble
Coleman (MO)
Coleman (TX)
Combest
Coughlin
Cox (CA)
Cox (IL)
Crane
Cunningham
Dannemeyer
Darden
Davis
DeLay
Dickinson
Doolittle
Dorgan (ND)
Dornan (CA)
Downey

Dreier
Duncan
Dunbar
Early
Edwards (OK)
Emerson
English
Ewing
Fawell
Fields
Fish
Franks (CT)
Frost
Galleghy
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
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Hall (TX)
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Hutto
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Inhofe
Ireland
James
Jenkins
Johnson (CT)
Jones (GA)
Kasich
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Lagomarsino
Lancaster
Laughlin
Leach
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Luken
Mantley
Manton
Martin
McCandless
McCollum
McCrery
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McNulty
Meyers
Michel
Miller (OH)
Miller (WA)
Mollinari
Mollohan
Montgomery
Moorhead
Morella
Morrison
Murtha
Myers
Natcher

Neal (NC)	Rohrabacher	Stump
Nichols	Ros-Lehtinen	Sundquist
Nussle	Rose	Tallon
Obey	Roth	Tauzin
Orton	Roukema	Taylor (MS)
Oxley	Rowland	Taylor (NC)
Packard	Santorum	Thomas (CA)
Parker	Sarpalius	Thomas (GA)
Patterson	Saxton	Thomas (WY)
Paxon	Schaefer	Upton
Payne (VA)	Schiff	Valentine
Pease	Schroeder	Vander Jagt
Penny	Sensenbrenner	Visclosky
Petri	Shaw	Volkmer
Pickett	Shays	Vucanovich
Pickle	Shuster	Walker
Porter	Sisisky	Walsh
Price	Skaggs	Weber
Pursell	Skeen	Weldon
Ramstad	Slattery	Whitten
Regula	Smith (NJ)	Wilson
Rhodes	Smith (OR)	Wolf
Richardson	Smith (TX)	Wylie
Ridge	Snowe	Young (AK)
Riggs	Solomon	Young (FL)
Rinaldo	Spence	Zeliff
Ritter	Spratt	Zimmer
Roberts	Stearns	
Rogers	Stenholm	

NOT VOTING—21

Ackerman	Hayes (LA)	Schulze
Alexander	Hefner	Solarz
Archer	Johnson (TX)	Stark
Barnard	Lent	Thornton
Campbell (CO)	Lowery (CA)	Towns
Gaydos	Ray	Traxler
Hatcher	Savage	Yatron

□ 1544

The Clerk announced the following pairs:

On this vote:

Mr. Towns for, Mr. JOHNSON of Texas against.

Ms. SNOWE and Messrs. MCCANDLESS, HALL of Texas, GLICKMAN, RICHARDSON, and GORDON changed their vote from "aye" to "no."

Mr. YATES and Mr. FASCELL changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. COUGHLIN. Mr. Chairman, I move to strike the last word, and yield to the gentleman from Nebraska [Mr. BEREUTER] for the purposes of a colloquy.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for yielding.

Before proceeding with the colloquy, Mr. Chairman, I want to express my great appreciation and admiration for the years of exceptional public service to the gentleman from Florida [Mr. LEHMAN] and the gentleman from Pennsylvania [Mr. COUGHLIN] for their service in the U.S. House of Representatives.

Mr. Chairman, I would like to clarify the committee report language concerning the Newcastle-Vermillion Bridge. I want to ask both the gentleman from Florida and the gentleman from Pennsylvania, am I correct in understanding that the \$4.12 million appropriation included in the bill for a bridge across the Missouri River is for the proposed authorized bridge between Newcastle, NE, and Vermillion, SD, even though there was an inadvertent reference to the site of

another bridge for which appropriations were enacted during fiscal year 1992? I would ask the distinguished chairman.

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. COUGHLIN. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. Chairman, the gentleman is correct.

Mr. BEREUTER. I thank the Chair.

I would also ask the gentleman from Pennsylvania, am I correct?

Mr. COUGHLIN. The gentleman is correct. That was our intention.

Mr. BEREUTER. I thank the gentleman.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Texas, Page 67, after line 16, insert the following new section:

SEC. 339. The amounts otherwise provided in this Act for the following accounts and activities are hereby reduced by the following amounts:

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
IMMEDIATE OFFICE OF THE DEPUTY SECRETARY
Expenses, \$5,000.
OFFICE OF THE GENERAL COUNSEL
Expenses, \$17,500.
OFFICE OF THE ASSISTANT SECRETARY FOR
POLICY AND INTERNATIONAL AFFAIRS
Expenses, \$131,000.
OFFICE OF THE ASSISTANT SECRETARY FOR
BUDGET AND PROGRAMS
Expenses, \$2,500.
OFFICE OF THE ASSISTANT SECRETARY FOR
GOVERNMENTAL AFFAIRS
Expenses, \$2,000.
OFFICE OF THE ASSISTANT SECRETARY FOR
ADMINISTRATION
Expenses, \$625,360.
CONTRACT APPEALS BOARD
Expenses, \$2,700.
OFFICE OF CIVIL RIGHTS
Expenses, \$4,100.
OFFICE OF ESSENTIAL AIR SERVICE
Expenses, \$4,200.
OFFICE OF INTELLIGENCE AND SECURITY
Expenses, \$25,300.
TRANSPORTATION PLANNING, RESEARCH, AND
DEVELOPMENT
Expenses, \$60,500.
OFFICE OF COMMERCIAL SPACE
TRANSPORTATION
OPERATIONS AND RESEARCH
Expenses, \$87,280.
WORKING CAPITAL FUND
Expenses \$1,880,000.
COAST GUARD
OPERATING EXPENSES
Expenses, \$5,031,480.
ACQUISITION, CONSTRUCTION, AND
IMPROVEMENTS
Expenses, \$2,500,000.
ENVIRONMENTAL COMPLIANCE AND
RESTORATION
Expenses, \$430,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Expenses, \$558,600.

FEDERATION AVIATION ADMINISTRATION

OPERATIONS

Expenses, \$9,076,000.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Expenses, \$4,575,000.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Expenses, \$4,737,120.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Expenses, \$7,024,000.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Expenses, \$1,802,000.

MOTOR CARRIER SAFETY

Expenses, \$78,580.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

Expenses, \$347,700.

RAILROAD SAFETY

Expenses, \$801,800.

RAILROAD RESEARCH AND DEVELOPMENT

Expenses, \$296,000.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

Expenses, \$685,400.

RELATED AGENCIES

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

Expenses, \$1,023,000.

Limitation on operating and capital expenses, \$5,837,000.

Mr. SMITH of Texas (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEHMAN of Florida. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. Debate time for this amendment will be limited to 20 minutes.

The gentleman from Texas [Mr. SMITH] will be recognized for 10 minutes and a Member in opposition will be recognized for 10 minutes. Does any Member rise in opposition to the amendment?

Mr. LEHMAN of Florida. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida [Mr. LEHMAN] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

□ 1550

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, by supporting this amendment, Members will challenge Federal managers to find additional savings in their overhead costs.

The amendment makes overhead spending reductions agency by agency. Reductions are based on each agency's actual overhead spending on travel, transporting things, utilities, communications, rent, other services and supplies, and materials. None of the Appropriations Committee funding for programs or personnel is reduced by a single dollar.

The amendment totals \$53 million in overhead reductions, which is less than one-fifth of 1 percent of the total \$35 billion in spending.

Agency reductions in no instance exceed 2 percent of a given agency's total spending. Where the committee specifically targeted overhead reductions, they are credited in the amendment, and in no instance does a reduction reduce an agency's total funding below 1992 funding levels.

This amendment is a practical, commonsense first step to bringing Government costs under control.

Across America, families and businesses have been meeting the challenge to control their costs in recent years. Americans understand what it means to act to control overhead costs.

On behalf of citizens, Congress should now take the lead to see that the Federal Government does the same thing.

This is an amendment that all Members can and should support. It picks no favorites. It only asks of one agency what it asks of other agencies. It is flexible. There are no personnel cuts. Rather, this amendment empowers Federal managers. They are challenged to reduce their overhead costs and then allowed to decide how best to achieve those savings on behalf of the American people.

There are no program cuts. Rather, this amendment challenges managers to discover new ways to make programs more efficient and effective. To citizens, that means better service and a more responsive Government.

It defies common sense to believe that Federal managers will not be able to find less than one-fifth of 1 percent in overhead savings, or \$53 million.

It is a good first step.

To summarize, the amendment's overhead reductions are based on each agency's spending, do not exceed more than 2 percent of an agency's total funding, do not reduce any agency funding below 1992 levels, and are one-fifth of 1 percent of the bill's total spending. The overhead reductions cut no programs and do not reduce funding for personnel.

It is endorsed by Citizens Against Government Waste and the National

Taxpayers' Union, and I hope this amendment will be endorsed by my colleagues as well.

Mr. Chairman, I reserve the balance of my time.

Mr. LEHMAN of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment.

While attractive in appearance, this type of amendment is not necessary. The bill before us today is already below the House-passed budget resolution levels and the subcommittee's 602(b) allocations. Funding in this bill is less than last year's level for outlays.

Most of the overhead accounts in the bill are at or below last year's level already. The FAA and Coast Guard operating budgets would receive increases, but only very small ones—4 percent and 2 percent, respectively. I do not believe these accounts should be considered overhead.

I urge the Members not to accept this amendment, since it would cut funds for operation of the air traffic control system, for response to oil spills, for the life-saving and drug interdiction mission of the Coast Guard, for railroad safety inspections, and for other critical activities. These are the kinds of activities which fall under overhead in the gentleman's amendment. The reductions are not necessary, and would lead to delays in airline travel and reduce safety on our highways, airways, and waterways. This amendment should be defeated.

Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Let me make a couple of additional points. I am not sure I understood everything the chairman just said.

Mr. PENNY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Texas. I am happy to yield to the gentleman from Minnesota.

Mr. PENNY. Mr. Chairman, I appreciate the gentleman yielding.

Maybe the gentleman could clarify a question that has come up on the part of several Members. There was a question about the level of funding for the FAA administrative account and where that funding level ends up as a consequence of this amendment.

Mr. SMITH of Texas. Mr. Chairman, let me try to respond to my friend's inquiry.

In regard to the Federal Aviation Administration, within FAA operations spending, my amendment targets the overhead spending of two activities, human resource management and headquarters administration only. No programs or projects are cut. No personnel slots are out.

Total spending on travel, transporting things, utilities, supplies, materials

by these two activities exceeds \$138 million a year, and what my amendment does is to reduce that spending by less than 2 percent of the total funding for FAA operations.

Mr. PENNY. If the gentleman will yield further, is it fair then to say that the reduction in this area is focused strictly on administrative overhead, and that the reduction would not affect or impair the ability of the FAA to perform its operational functions?

Mr. SMITH of Texas. I would say to my colleague that that is absolutely correct.

Mr. PENNY. Mr. Chairman, I support the amendment.

Mr. Chairman, I rise in support of the Smith amendment, and I commend the gentleman from Texas for again taking the floor to reduce overhead and indirect spending. I am happy to join him in urging adoption of this amendment.

This amendment, to the fiscal year 1993 transportation appropriations bill, reduces total spending in this bill \$59 million and should be overwhelmingly embraced by the House. As it's been pointed out, the Smith amendment does not touch one dime of spending for transportation projects or personnel. It will not disrupt any agency function or slow down any activity at any agency funded by this bill.

What it does cut is overhead spending agency-by-agency for travel, utilities, communications, rent, other services, supplies and materials. Overall, the amendment saves a total of \$59 million, which is two-tenths of 1 percent of the bill's total new obligational authority. In no instance does any reduction exceed 2 percent of a given agency's total funding, and in no single account, does a reduction reduce an agency's total funding below 1992 funding levels. And as Mr. SMITH has indicated, where the subcommittee specifically targeted overhead reductions, they are credited in the amendment.

Earlier this year, I was involved in a task force that concluded that a reduction of between 5 and 10 percent in overhead/indirect spending at Federal agencies was possible and would not result in any reduction in services or programs. What we're talking about here is \$59 million in a \$13 billion measure. That comes out to something like .004 percent of the total. This reduction will hardly undermine any program or activity.

Mr. Chairman and Members, with a deficit of over \$400 billion—and the national debt near \$4 trillion, we must make reductions everywhere we can, every chance we get. As any American can understand, overhead expenses, are among the first expenditures that should be reduced. This amendment is a modest step and I urge its adoption.

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman for his support.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. CARR].

Mr. CARR. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise to oppose the amendment.

While I understand the sincere intentions of my friends who offer the

amendment, I have to say simply that they are wrong. For example, in discussing the office of the Secretary, if everyone here would like to get a copy of the report and turn to page 4, you can easily see that recommended in this bill that our committee has worked on for so long and so hard, it is below 1992. It is below 1992 in new budget authority. It is below 1992 in limits on obligations.

I can tell the Members of the Congress that we sat and went over each and every one of these accounts, and some of these recommendations we even made in committee, but what we ended up with was a different mix.

We in fact cut the office of the Secretary below 1992.

Going on even further, these cuts in this particular amendment will affect vital safety. Now, I know that the authors of the amendment have to say that it will not, because they know that if the Congress believes that it will, they will not support the amendment.

But let me tell the Members that when you cut human resources as was just mentioned in the colloquy here a few minutes ago, it may sound sort of neutral, that is something we can get rid of, who cares, human resources. Let me tell you what human resources is: Human resources in the Federal Aviation Administration is training for air traffic controllers.

The FAA is human-resource intensive. That is the budget that they do the training out of. That is safety.

We have already cut the operations and facilities and equipment and research and development in the FAA.

This is another \$18 million. This budget and the safety required in the FAA cannot afford this amendment. The Coast Guard, and everyone who has looked at this including our friends on the Committee on Merchant Marine and Fisheries, will tell you that this committee unfortunately, and we did not want to do it, but we cut the Coast Guard. The Coast Guard has a very important role for maritime safety, for law enforcement, drug interdiction, and it is very important that we not cut the Coast Guard any further.

This particular amendment would take another \$5 million out of what is already about a \$100 million cut in the Coast Guard. They just cannot take this. We have cut them to the bone.

So I know that my friends want to economize. You know, they want to have a vote on the floor so that everybody can go home and say they voted to whack it to the Department of Transportation, but let me tell you that the committee did a lot of work and tried very hard in juggling the competing priorities across the board, and we did the best we could.

We would like the Congress to support the subcommittee's judgment.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to respond to the point made by my friend, the gentleman from Michigan. He argued that the human resource management deals with safety, and I would say that it certainly does not do that.

It is basically a personnel department, and on page 54 of the report, it says this:

This activity includes administration of FAA employee recruitment, compensation (including federal employees' compensation payments and unemployment compensation), training, and labor-management relations programs.

The point here is that given the line-item figures that we have studied here, we are not talking about cutting any programs or personnel. I want to make that very, very clear. What we are talking about is cutting Government overhead that has never been specifically targeted before.

□ 1600

Within the Federal budget, Government overhead has now ballooned to be over one-quarter of that Federal budget, \$320 billion.

In no case, and I will repeat this, in no case are any of these agency cuts below the 1992 level.

What we are doing is targeting such items as travel and supplies that have never been targeted before.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. CARR].

Mr. CARR. Mr. Chairman, just in response and rebuttal, the gentleman can read very well and he read it very quickly.

The word "training" was in there. If you go on and read, and I invite everybody to read page 54, this is training of our air traffic controllers. That is safety.

Mr. Chairman, I must respectfully disagree with the gentleman.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Let me respond once again and try to clarify exactly what this amendment does. It targets Government overhead spending. It does not target any programs for safety, training, or any personnel involved with any of those programs.

What it targets again is five object classifications, such as travel and supplies.

Let me tell my colleagues why we have targeted those particular categories, and I will give you one example. Let us take travel, since that is a particularly large item.

What we discovered in our analysis was that incredibly in the last month of the fiscal year the travel expenditures suddenly go up 48 percent. Very clearly, Federal managers are trying to use up their travel allotment. It is those types of expenditures that we are trying to control. If we do not control

Government overhead spending, there is nothing that we possibly can control. It has never been scrutinized before. It needs to be targeted right now, tonight, and this is just the beginning.

The advantage of targeting overhead spending is that everybody benefits. The taxpayers benefit. The deficit is reduced or can be reduced.

We also have a situation where we are not cutting the important programs of agencies, not cutting personnel. We are only talking about overhead expenditures, such as those items of travel and supplies.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I have a great deal of respect for the gentleman from Texas. He has had similar amendments in the past, but I urge my colleagues to listen closely as this amendment is described.

Most of us are sitting here waiting for the opportunity to head out to the closest airport and to take a plane home. Many of the people listening to this debate are in the same circumstance.

We want to know that when we get on that plane that there will be an air traffic controller hired by the Federal Aviation Administration, properly trained, on the job, doing professional work.

The gentleman from Texas insists that he can make a cut of \$9 million in the Federal Aviation Administration which will have no impact whatsoever on the delivery of their services. I would like to echo what my colleague, the gentleman from Michigan, said earlier. We went through this appropriation bill very closely. We made some rather spectacular cuts in some areas. I can say that many Members on the floor will tell you they are unhappy with the cuts, but I can just tell you point blank that with this amendment you are going to make cuts in areas that are going to affect the quality of service that is provided.

The gentleman from Texas said earlier, we play no favorites. He said: We have no favorites in our cuts. Well, I will readily confess that the committee did play favorites. When it came to the question of public safety, we played favorites. We said when it comes to the Federal Aviation Administration, we want the FAA to do its job professionally, do it well, make sure that the American public using our airplanes, are safe and can rely on air traffic controllers who are properly trained.

The gentleman's amendment goes a little bit too far. I urge my colleagues to oppose it.

Mr. SMITH of Texas. Mr. Chairman, let me say once again that this amendment does not cut one air traffic controller. The legislative history that we are establishing now will show that is the case.

What I am simply saying to the Federal managers, for example, is that instead of taking 10 trips next year, you can take 9 trips this year. I think the American people would support that.

Once again, this amendment only cuts one-fifth of 1 percent of the total spending.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. COUGHLIN].

Mr. COUGHLIN. Mr. Chairman, I am reluctant to oppose my good friend, the gentleman from Texas [Mr. SMITH], but I can only say that this subcommittee went through months and months of hearings on this legislation. We went through every item in great detail. We were faced with a very tight 602(b) allocation. We produced a bill that is \$1.5 billion less than the budget request and \$4 billion less than fiscal year 1992.

In particular, what the gentleman is targeting is outlays, and we were looking for every penny we could save in outlays, because that got us additional budget authority. If we have not combed for every penny in travel and for every penny in overhead, for every penny that we could get out of this in all these cases, the Secretary's Office is lower than last year. We really worked very hard to get this down as far as we could.

Reluctantly, Mr. Chairman, I have got to say that doing anything further would be a tragic mistake, and I urge defeat of the amendment.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the comments of my friend, the gentleman from Pennsylvania, and in reply I want to repeat once again that no agency is cut more than 2 percent in spending, that once again the total cuts by this amendment are less than one-fifth of 1 percent of the total spending in the bill.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Chairman, I rise in opposition to the amendment.

Let there be any doubt about it, this amendment will take an additional \$5 million out of the operating account of the Coast Guard, when the bill as it is written now already takes away \$87 million out of the operating account.

If you want to know what that means, that means search and rescue stations will be shut down. That means air patrols will be curtailed. Cutters will be decommissioned. That means safety at sea, not only for mariners, but recreational boaters will be threatened. Have no mistake about it. This amendment further cuts the Coast Guard when later on we will be trying to restore a little bit back to the Coast Guard's budget.

Mr. Chairman, I urge that we reject this amendment.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me reply to the remarks of my friend.

Within the Coast Guard's operation expenses, my amendment targets a reduction only in the overhead spending of headquarters administration.

My amendment leaves the Coast Guard's operating expenses account with a \$37 million, rather than a \$39 million increase in spending over 1992. It goes from \$39 million to \$37 million.

Mr. LEHMAN of Florida. Mr. Chairman, I just urge this amendment be defeated, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I will close by making three points for my colleagues.

Once again, first of all, the amendment cuts do not exceed more than 2 percent of any agency's total spending.

Second, they do not reduce any agency's funding below the 1992 levels.

Third, and most importantly, the total cuts in this amendment amount to less than one-fifth of 1 percent of the bill's total \$35 billion in spending for 1993.

Mr. DORGAN of North Dakota. Mr. Chairman, I rise in support of the Smith amendment which cuts \$59 million in overhead from the Department of Transportation and its agencies.

I commend our colleague, Mr. SMITH of Texas, for his leadership on reducing Government waste. I also want to note the excellent work of Mr. PENNY of Minnesota on this issue. I would further observe that the amendment is in keeping with a recommendation of the Democratic Task Force on Government Waste, which I chaired, to cut Federal overhead expenses by up to 10 percent. So I would like to associate myself as a cosponsor of the Smith amendment.

The amendment offers a challenge to Federal managers: Find ways to reduce spending on administrative support by 10 percent. With the Federal deficit exceeding \$400 billion this year, we must get control of agency support costs, which account for \$1 of every \$5 spent. Cutting back on these expenditures by 5 to 10 percent would save \$15 to \$30 billion a year.

The amendment reduces overhead spending on an agency-by-agency basis, based on what it actually spends on items such as printing, communications, travel, transportation of goods, and office supplies and materials. It applies to the Federal Government a prudent rule of private management: When you must tighten your belt, cut overhead first.

The total reduction in the amendment amounts to \$59 million. It does not cut any personnel, eliminate any programs, or cancel any projects. Those are separate questions which should be decided on their merits. The amendment does trim the overhead which has grown relentlessly over the past two decades.

The amendment recognizes the good work of the committee in scaling back certain agency budgets. In those cases, there are no cuts

or very modest cuts. Moreover, no reduction brings an agency's spending level below its current funding level. So this is a modest, albeit necessary, step in our deficit reduction efforts.

Last year, Congressman PENNY and I offered a similar, though more limited, amendment to reduce Transportation Department overhead costs. It failed passage. This year we have teamed up with our colleagues, Mr. GLICKMAN, Mrs. BOXER, Mr. SMITH of Texas, and others, to successfully reduce overhead spending in several other appropriations bills by over \$1 billion. This is not a partisan issue and that's why it has enjoyed wide bipartisan support.

I urge my colleagues to continue the deficit cutting effort in this bill. I can assure them that adopting the Smith amendment will not result in canceled highway projects, reduced airline safety, or other imagined horrors. It will simply require the Department of Transportation and its sister agencies to follow the same businesslike practices that we have demanded of other departments in prior appropriations bills.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. SMITH].

The question was taken; and the Chairman announced that the yeas appeared to have it.

RECORDED VOTE

Mr. SMITH of Texas. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, yeas 236, not voting 23, as follows:

[Roll No. 280]

AYES—175

Allard	Edwards (OK)	Kaptur
Allen	Edwards (TX)	Kasich
Andrews (TX)	Erdreich	Kennedy
Armey	Ewing	Klug
Aspin	Fawell	Kolbe
Atkins	Fish	Kyl
Bacchus	Franks (CT)	Lagomarsino
Baker	Galleghy	Lancaster
Ballenger	Gekas	LaRocca
Barrett	Gibbons	Leach
Barton	Gilchrest	Lewis (FL)
Bellenson	Gillmor	Lloyd
Bilirakis	Gilman	Lukens
Bliley	Gingrich	Marlenee
Boehert	Goodling	McCandless
Boehner	Gordon	McCloskey
Brewster	Goss	McCollum
Bunning	Gradison	McCrery
Burton	Grandy	McCurdy
Byron	Guarini	McEwen
Camp	Gunderson	McMillen (MD)
Campbell (CA)	Hall (TX)	Meyers
Carper	Hancock	Mfume
Chandler	Hansen	Michel
Clement	Hastert	Miller (OH)
Clinger	Hefley	Molinar
Coleman (MO)	Henry	Moody
Combest	Herger	Moorhead
Condit	Hoagland	Murphy
Cooper	Holloway	Neal (NC)
Cox (CA)	Hopkins	Nichols
Cox (IL)	Horn	Nussle
Crane	Houghton	Oliver
Cunningham	Huckaby	Orton
Dannemeyer	Hunter	Packard
DeLauro	Hutto	Pallone
Dickinson	Inhofe	Pastor
Dooley	Ireland	Patterson
Doolittle	Jacobs	Paxon
Dorgan (ND)	James	Penny
Dreier	Jefferson	Peterson (FL)
Duncan	Johnson (CT)	Petri
Eckart	Jontz	Porter

Poshard
Pursell
Ramstad
Reed
Rhodes
Ridge
Ritter
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Sanders
Santorum
Sarpalius

Saxton
Schaefer
Scheuer
Schiff
Sensenbrenner
Shays
Sisisky
Slattery
Smith (OR)
Smith (TX)
Snowe
Solomon
Spratt
Stallings
Stearns
Stenholm

Stump
Tanner
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wylie
Young (FL)
Zeliff
Zimmer

Wise
Wolf
Ackerman
Alexander
Archer
Barnard
Bonior
Boxer
Campbell (CO)
Gaydos

Wolpe
Wyden
Hatcher
Hayes (LA)
Hefner
Hubbard
Johnson (TX)
Kolter
Lent
Ray

Yates
Young (AK)
Schulze
Solarz
Stark
Towns
Traxler
Wilson
Yatron

NOT VOTING—23

□ 1630

Messrs. VOLKMER, MILLER of Washington, and ESPY changed their vote from "aye" to "no."

Messrs. PETERSON of Florida, LAROCO, and MCCRERY, Ms. KAP-TUR, and Mr. COX of California changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. FOGLIETTA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise for the purposes of a colloquy with Chairman ROE, Chairman MINETA, and Congressman BORSKI. I want to congratulate Chairman MINETA and Chairman ROE for their work on the Obey-Roe amendment, which would put thousands of Americans to work and at the same time build new highway and mass transit systems. However, the real need in cities such as Philadelphia, New York, and Boston is for funds to repair older existing mass transit systems in these cities.

It is my understanding that you will work to expand this program and push for additional funding for the revitalization of old mass transit systems—namely section 9 capital improvements, rail modernization, and operating subsidies—in this bill.

Mr. BORSKI. Mr. Chairman, if the gentleman will yield, I too want to applaud Chairman ROE and Chairman MINETA for their work on behalf of mass transportation systems around the country. The work of Chairman ROE and Chairman MINETA will lead to a more mobile America.

Like my colleague from Philadelphia, I am concerned about the lack of mass transit funding in this amendment for older cities. We wish to confirm that when we get to conference that you will work to expand this program to include enhanced funding for mass transit systems that do not have the resources to engage in new start projects.

Mr. MINETA. Mr. Chairman, if the gentleman will yield, I appreciate the concerns of my friends from Philadelphia. I assure you that you have my commitment that we will address your concerns with the conferees to obtain more funding for the rehabilitation of older mass transit systems.

Mr. ROE. Mr. Chairman, if the gentleman will yield, let me thank the gentlemen from Pennsylvania for bringing these very valid concerns to our attention. To the best of our abili-

ties, we will work with you and the conferees on this bill to ensure that your concerns are addressed.

The CHAIRMAN. Are there further amendments to title III?

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 67, add the following new section: "SEC. . . Notwithstanding any other provision in the bill, the account Highway Demonstration Projects, (Highway Trust Fund) referred to on page 25, line 8, is hereby reduced by \$3,135,000."

Mr. LEHMAN of Florida. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto be limited to 10 minutes.

Mr. HUGHES. Mr. Chairman, reserving the right to object, I would inquire, is the chairman just requesting a time limit on this amendment and any amendments to this amendment?

Mr. LEHMAN of Florida. Mr. Chairman, the request just concerns this amendment.

Mr. HUGHES. Mr. Chairman, I withdraw my reservation of objection.

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, as the author of the amendment I would like to say I do not intend to use the entire time, but I think it would be inappropriate to limit the time right now because there may be Members who do want to say something on this amendment. So I do object.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida [Mr. LEHMAN]?

Mr. BURTON of Indiana. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

POINT OF ORDER

Mr. CARR. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CARR. Mr. Chairman, I am under no illusion that I will be sustained, but I feel constrained to speak out that this amendment is fetching back to a previous title which we have already passed. As a matter of parliamentary procedure, to allow this parliamentary device means that essentially any bill on the floor is never done. It essentially means that the bill is open to amendment at any point. We passed the provision that the gentleman from Indiana [Mr. BURTON] is seeking to amend. The gentleman was not here at the time and did not raise his amendment to that section at the time.

Mr. Chairman, I know what the rules are and I anticipate that the Chair is going to rule against me, but I did want to raise the point and say that we should not have this kind of parliamentary procedure that essentially meaningfully lays the entire bill open for amendment at any point.

NOES—236

Abercrombie
Anderson
Andrews (ME)
Andrews (NJ)
Annunzio
Anthony
Applegate
AuCoin
Bateman
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Blackwell
Borski
Boucher
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bustamante
Callahan
Cardin
Carr
Chapman
Clay
Coble
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers
Costello
Coughlin
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLay
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorman (CA)
Downey
Durbin
Dwyer
Dymally
Early
Edwards (CA)
Emerson
Engel
English
Espy
Evans
Fascell
Fazio
Feighan
Fields
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallo
Gejdenson
Gephardt
Geren
Glickman

Gonzalez
Green
Hall (OH)
Hamilton
Hammerschmidt
Harris
Hayes (IL)
Hertel
Hobson
Hochbrueckner
Horton
Hoyer
Hughes
Hyde
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Kanjorski
Kennelly
Kildee
Kiecza
Kopetski
Kostmayer
LaFalce
Lantos
Laughlin
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Long
Lowery (CA)
Lowey (NY)
Machtley
Manton
Markay
Martin
Martinez
Matsui
Mavroules
Mazzoli
McDade
McDermott
McGrath
McHugh
McMillan (NC)
McNulty
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Morrison
Mrazek
Murtha
Myers
Nagle
Natcher
Neal (MA)
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)

Owens (UT)
Oxley
Panetta
Parker
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (MN)
Pickett
Pickle
Price
Quillen
Rahall
Rangel
Ravenel
Regula
Richardson
Riggs
Rinaldo
Roe
Rogers
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sangmeister
Savage
Sawyer
Schroeder
Schumer
Serrano
Sharp
Shaw
Shuster
Sikorski
Skaggs
Skeen
Skelton
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Spence
Staggers
Stokes
Studds
Sundquist
Sweet
Swift
Synar
Tallon
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Traficant
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams

The CHAIRMAN. Does the gentleman from Indiana [Mr. BURTON] seek recognition on the point of order?

Mr. BURTON of Indiana. Mr. Chairman, I do not.

The CHAIRMAN (Mr. BOUCHER). The Chair is prepared to rule. Due to the general nature and effect upon funds of title III of the bill now open to amendment, a reach-back amendment in this form is germane and is not in violation of clause 2, rule XXI. The point of order is not sustained.

The gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

PARLIAMENTARY INQUIRY

Mr. BURTON of Indiana. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURTON of Indiana. Mr. Chairman, I thought there were 20 minutes on each amendment.

The CHAIRMAN. The gentleman is incorrect in that assumption. There are certain amendments designated in the rule with 20-minute limits. This amendment is not one of those.

Mr. BURTON of Indiana. Mr. Chairman, we have talked on the floor many times about the deficit, and I am not going to prolong this, because I know my colleagues on the Democrat side of the aisle are anxious to get to the Democratic Convention in New York and my other colleagues want to go home, so I will not take much time.

But the projection of the Federal debt is that by the year 2000 we are going to be \$13.5 trillion in debt. We will not even be able to pay the interest on the debt if we do not get control of spending. That portends economic chaos for the country. So I feel compelled to come to the floor to try to cut wasteful spending wherever we find it, regardless as to who may be involved.

Mr. Chairman, the amendment that I am proposing right now would cut \$3.135 million out of an access road to an airport in Ontario, CA, at the Ontario National Airport.

The reason I think this is very important to cut is because the authorizing committee only authorized \$865,000 for this project, yet the Appropriations Committee has put almost five times that amount in the bill, \$4 million.

So what I am doing with this amendment is trying to cut everything over the authorization. The project would still get the \$865,000 it was authorized, but the excess over that in the amount of \$3.135 million would be cut from the funding.

Mr. Chairman, that is the purpose of the amendment. I hope Members will support it. It is a step in the right direction toward getting control of spending in this place.

Mr. LEHMAN of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the bill contains \$167 million in new budget authority for

highway demonstration projects. All of these projects have been funded in previous years. There are no new highway demonstration projects in this year's bill.

In developing the bill the committee received requests from Members for highway projects amounting to about \$1.5 billion. As I mentioned, the bill includes \$167 million, which is \$434 million less than was appropriated for similar projects in fiscal year 1992.

Because of the fiscal constraints under which the committee was operating we decided to fund only ongoing demonstration projects. With regard to these continuations, I think most Members would agree that once Congress gives its approval to start a project, it should not turn around the next year and stop it in its tracks unless there are good, sound environmental, or engineering, or cost reasons to do so. No such arguments are being made here.

These new projects represent a relatively small amount, less than 1 percent of the total recommended highway funding. We have received testimony or correspondence from many of the House Members whose areas are affected by these projects. I am sure they can all discuss the benefits of each of these projects. I believe they are all justified on the basis of safety or economic development. It is easy for a Member to criticize a project in someone else's district as being unjustified. There is no reason why Members should not decide on the allocation of this small amount of our Federal highway spending.

Mr. Chairman, we have developed a balanced bill. It is within our 602(b) allocation. These projects have been included within our overall budget allocation—they are not budget busters. The projects are important to the Members and their districts.

□ 1640

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. LEHMAN of Florida. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I thank the gentleman for yielding to me.

I rise simply because I am frankly a bit startled that this amendment is on the floor. I think the gentleman may know that Ontario, at least the edges of the town, are currently in my own district. It is not going to be in my district after reapportionment, the next election, but nonetheless, it does dramatically affect the economy of my area.

I was in a markup downstairs, working on a supplemental on a defense bill. I had worried about Ontario Airport years before. I would have hoped the gentleman might have talked to me about affecting my district. Even though I might have agreed with him

on an amendment, I am not certain of that, I have not had the privilege of even reading it.

But by way of background, Mr. Chairman, I think usually it is a matter of courtesy to discuss an item that does affect a Member's district. It is the collegial thing to do. But in this case, we are talking about a project that is most interesting.

The Ontario International Airport Ground Access Program utilizes an extensive public/private cooperative financing partnership. The program is providing in excess of \$101 million of highway transportation infrastructure projects.

The program essentially consists of five freeway interchange projects, four highway-railroad grade separations projects, and over 11 miles of major arterial highway construction around all sides of Ontario International Airport.

The program's initial funding began late in 1986 with the allocation of \$4.0 million in Federal continuing resolution funds, since reduced to \$2.45 million. Additional funding with \$14.5 million of Federal demonstration grant funds and \$8.7 million of Secretary of Transportation discretionary funds was obtained under the Transportation and Uniform Relocation Assistance Act of 1987. The current Federal support of \$25.65 million has been leveraged with both local public and private funding of \$65.78 million. To successfully complete a comprehensively ground access program, these funds are critical. If this amendment fails, the total Federal contribution to the program will be \$35.65 million of 35.1 percent of the total program cost.

The program is essentially a 5-year program with all projects currently underway in environmental reviews, design, or actual construction.

The program's present level of success is the result of an extensive cooperative public/private funding effort which includes Federal, State, and local agencies, as well as private interests.

The Ontario Airport is the major alternative to the Los Angeles International Airport. This is a project that has been going forward for several years, as quickly as possible in order to save taxpayers' money.

There is not any doubt that these access roads are going to be needed for that international airport. There is absolutely no doubt that now is the time to do this because the area involved is almost totally undeveloped. It is a rapidly growing area. The more land is developed around the region, the higher the price goes to purchase the property to build the roads.

And so to cut this off arbitrarily, first of all, I am really not worried about the gentleman not talking to me about my district, but to cut this off with little knowledge about the region one is dealing with to eliminate a

small amount of money, to say the least, will be penny-wise and pound-foolish. There is no doubt the committee has used a great foresight in connection with its spending money as reasonably as possible here, because every dollar we spend now we save lots of dollars on a project we have obviously begun and need to complete.

I really do appreciate the sincerity of the gentleman from Indiana in the way he goes about trying to eliminate porkbarrel projects. In this case I think he happens to be mistaken. He may not serve on the Subcommittee on Transportation and, therefore, has not had a chance to look this project in detail. If he wants to withdraw his amendment, I would appreciate it. Because actually, it looks kind of silly in this form. We definitely have a responsibility to complete this project.

If we do not go forward, it is going to cost us an endless amount of percentage increase due to the increase in land cost. The House should reject this amendment.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

There was no objection.

Mr. BURTON of Indiana. Mr. Chairman, I would just like to close by saying that every project that we talk about on this floor is important to somebody.

The fact of the matter is, I have said time and time again, we have to prioritize. And we have cut a number of projects because of amendments proposed by my colleagues.

I apologize to my colleague from California for not apprising him or making him aware of this amendment, but many times we are in such a dither around here, trying to get things done, we do not have the luxury of that time.

The fact of the matter is, this project was authorized to the tune of \$865,000. It is 4½ times what was authorized.

I am not trying to cut the authorization. I am saying, go ahead with the \$865,000. But \$3.135 million is in excess of that, and at a time when we have a \$4 trillion national debt, a \$420 billion deficit this year, we have to start looking at everything and trying to cut, economize, and prioritize.

I just say to my colleague, come back next year and try to get the additional funding for this. This is four and one-half times what was authorized. It should not be passed.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has expired.

The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote, and

pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred forty Members are present, a quorum.

The pending business is the demand of the gentleman from Indiana [Mr. BURTON] for recorded vote.

A recorded vote was refused.

So the amendment was rejected.

Mr. HUGHES. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wonder if I can engage the distinguished chairman of the subcommittee and the ranking member, the gentleman from Pennsylvania [Mr. COUGHLIN] in a colloquy.

I note that there are four different requests of the administration that have not been funded in this appropriations bill. I would like to ask the chairman and the ranking Republican about them.

The National Air System Support Lab, \$3.5 million was not funded. That would reduce the amount of money available to the FAA needed to contract for various recabling jobs in the computer labs. These labs are used continually for a wide variety of purposes, to accommodate the different programs. It is not necessary to have it re-wired periodically. That is done by contractors on an as-needed basis, and not funding the \$3.5 million puts that particular mission in jeopardy.

I wonder if my colleague can tell me on that, and the \$5.2 million program request in the ARTS III-A system for the FAA, which is again the ARTS computer system which handles simulations and R&D for the FAA's terminal approach computer systems in the field, this also is an essential system for the ongoing advanced automation systems program.

The lab is now running around the clock with three full shifts a day, and this is just going to slow that system down, I say to my colleague.

Those are two areas in the facilities and equipment program.

I am also concerned about two areas that were not funded in research, engineering, and development. Recently the Congress mandated that the FAA evaluate and seek to prevent catastrophic failures in flight. That is an essential program, mandated by the Congress.

As I understand it, \$2.83 million was zero-funded in this particular appropriation.

Finally, there is a small program, a half a million dollars, for cooperative research which deals with technology transfers, small business innovation, research programs, joint grants with NASA and other similar activities. These are the spinoffs from research and development in the area of aviation that enable small firms to basically develop in the private sector as an adjunct to the FAA. That, too, was not funded.

I ask the distinguished chairman and the ranking Republican if, in fact, they will take another look at this between now and conference, because these seem to be four areas of basic research and technology transfer that will be essential.

□ 1650

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will yield, let me assure the gentleman that these cuts were not made lightly. We had to make many decisions in markup and we had to cut some hard programs, but let me also assure the gentleman from New Jersey [Mr. HUGHES] that we will try and deal with this in conference as best we are able to.

Mr. COUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. HUGHES. I yield to the gentleman from Pennsylvania.

Mr. COUGHLIN. Mr. Chairman, I share the gentleman's remarks, that these have been difficult times and difficult decisions, but we certainly will look at this again.

Mr. HUGHES. When we start cutting back on basic research and slowing the NAS plan down, we are basically not advancing, really, our economic agenda in this country.

Mr. COUGHLIN. If the gentleman will continue to yield, I appreciate the gentleman's concern, and we want to work with him.

AMENDMENT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MICHEL: At the end, insert the following new section:

SEC. . DEFICIT REDUCTION.

Any savings achieved under discretionary spending limits established under section 601(a)(2)(C) of the Congressional Budget Act of 1974 for fiscal year 1993 as a result of appropriations under this Act or any other appropriation Act shall be applied to reducing the Federal deficit for that fiscal year.

The CHAIRMAN. Under the rule, the debate on this amendment is limited to a total of 60 minutes. The gentleman from Illinois [Mr. MICHEL] will be recognized for 20 minutes, and a Member in opposition will be recognized for 30 minutes.

Is there a Member who seeks recognition in opposition to the amendment offered by the gentleman from Illinois [Mr. MICHEL]?

Mr. OBEY. Mr. Chairman, I am opposed to the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes in opposition.

The Chair recognizes the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the choice today is very simple. If the Members vote for

my amendment, they are voting to reduce the deficit by \$2.6 billion over the long term. If they vote for the Obey-Gephardt amendment, they are voting to spend \$2.6 billion over the long term. It is as simple and as profound as that.

A vote for my amendment is a reaffirmation of the old congressional virtue that a deal is a deal. A vote for the Obey-Gephardt amendment is a vote to scuttle the budget enforcement agreement. It puts the lie, quite frankly, to all this talk about hard and fast budget enforcement agreements.

Perhaps one of the reforms the House urgently needs is memory training for the majority, which seems to suffer increasingly from selective amnesia. Less than 2 years ago this Congress voted for a budget deal which had as its primary feature a very strong enforcement mechanism. That is one of the reasons I supported it. I thought it was good, hard, and fast. This thing has teeth in it. Both the majority and the gentleman from Wisconsin [Mr. OBEY], my dear friend, voted for this agreement. Remember?

The agreement set out three spending limits: For domestic discretionary, for international, and for defense spending through fiscal year 1993. The deal was that these spending limits could not be exceeded. Does that sound familiar to the majority? Does it ring a bell? Are their memories now jogged a bit, hopefully?

Further, the deal was that if savings were achieved within any of these categories, those savings would be applied to reduce the deficit and could not be spent in any other category. That was only just 2 short years ago.

I am reminded of the scene in the old movies where Jimmy Durante is trying to steal an elephant, and he is leading the giant creature out of the tent. The policeman stops him, and he points to the elephant and he says, "Where are you going with that elephant?" And Durante, with all injured innocence, replies, "What elephant?"

The majority seems to be saying, like Durante, "Deal? What deal?" But in terms of keeping their word to the people, in terms of the honor of our word that a deal is as big as an elephant and we cannot just ignore it, and the majority, whose wild, exultant cheers filled this Chamber when they killed the balanced budget amendment, confirms this very day the reason why such an amendment is necessary.

Yes, the Members will hear about the merits of this additional transportation spending today. There is always a reason. There is always an excuse. There is always an alibi. There is always some supposed greater good to be served. But the Federal Government is running deficits at a rate roughly \$400 billion this year, which will be added to the already existing total Federal debt of \$3.8 trillion. How many times have we heard Members on both sides of the

aisle decrying what is happening and what that figure is? Here we are, attempting to add to it again.

All the polling data indicates the House of Representatives is at a historic low point in the public esteem. Yet at the very time when we ought to begin to reestablish trust, the majority today is asking us to break our word.

Our country's Founders pledged to each other their lives, their fortunes, and their sacred honor. All we are asking the majority to do today is to keep the pledge of our word to one another on both sides of the aisle. Is that really asking too much today? I do not think so, so I would ask the Members to support our amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I really hesitated to rise in opposition to the gentleman, or to the amendment of my good friend, the gentleman from Illinois [Mr. MICHEL], because in general I think everybody in the House supports the principle. We all certainly want to see any savings in the budget used for deficit reduction.

In a sense I really do not have a problem with the Michel amendment. If people want to vote for it, that will not bother me any, because it has virtually no effect or no relationship to the amendment which will be coming later that I will offer.

The Michel amendment attempts to say that whatever savings are achieved in the appropriations cycle will be dedicated to deficit reduction. But the fact is that that is not what will happen, because we already have letters, official letters from the administration indicating that what they want to do is to take the \$1.3 billion which we cut from the foreign aid bill just a couple of weeks ago on this floor, and they want to use their opportunities in the Senate to try to restore those cuts, re-inflate the foreign aid bill, reestablish the free grant military assistance to Portugal and to Turkey and to Greece and to other NATO allies which we think ought not to get a free lunch any more in terms of free grant military aid. That is most definitely what the administration has made quite clear they are going to do.

I am not going to take a good deal of time, but will simply say that there are a lot of promises which this House has made. One of the promises was in a vote of almost 6 to 1 just a few months ago. This House voted for the first highway authorization bill which told every State in the Union they would be getting a specific amount of highway funding, and yet without this amendment no State in the Union will even come close.

As we have made quite clear in the Obey amendment, we make certain that there will not be a dime added to

the deficit in the amendment which we will shortly offer. I do think it is important to understand that we all share the same goal enunciated by our good friend, the gentleman from Illinois. We all want the deficit to go down. Those of us who will be offering our amendment after the Michel amendment is voted on simply, I think, recognize the fact that we can stand here like King Canute and order the tides to go down, but without additional economic growth they will not do that.

Regardless of our preachments on the deficit, unless we make the kind of investments that are necessary to strengthen the fiscal infrastructure of this country, to improve the economic efficiency of the country, we simply are not going to see that deficit go down because our economy is not going to be as competitive as it needs to be in order to keep jobs in this country, which is the true way that we achieve economic growth and therefore achieve deficit reduction.

As I say, it is not going to hurt my feelings if people want to embrace the Michel amendment, but it seems to me that the amendment that we will offer next will in a sense maintain roughly the principle of the Michel amendment with a \$400 million exception on the outlay side. So I really do not think there is a very big disagreement between us.

□ 1700

Mr. MICHEL. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. McDADE].

Mr. McDADE. Mr. Chairman, I rise in strong support of the Michel amendment. This amendment by the distinguished leader, considered in isolation, is easy. It is current law. It is stated policy of our Government. It is bedrock principle. It is our mantra for deficit reduction: Savings will be used for deficit reduction, not for new spending.

We just concluded a markup in the Defense Appropriations Subcommittee which will produce \$12 billion more for deficit reduction in savings out of the defense budget—\$12 billion applied to the basic principle of deficit reduction.

But the Michel amendment, in the context of the Obey amendment to follow, is really a test of will. Do we follow the principle consistently or do we follow it only when it becomes convenient?

Both supporters and detractors of the budget agreement of 1990 agree on one benefit of that agreement. It imposed discipline on this body.

As all of my colleagues know, for appropriation purposes there are three categories of spending, and within each category, be it international, domestic or defense, we can only spend up to the agreed ceiling. We cannot go beyond that. That is the agreement that my good friend from Illinois referred to.

So far this year, I would say to my friends, we are doing a pretty doggone good job. Defense spending, as indicated, is way below the caps, and it will be \$12 billion further below as a result of actions taken just a few minutes ago in our markup. International spending, headed by my good friend on the Subcommittee on Foreign Operations, DAVE OBEY, is significantly below the ceiling. And even in the domestic discretionary account, we are, as we sit here today as a body, below those spending caps. We are below the ceilings on domestic discretionary. So far, we are a total of \$6.4 billion in budget authority and \$4.7 billion in outlays below the allocation to the Appropriations Committee. My friends, that is real deficit reduction. That is something that we in the House can be proud of. That is the principle that we signed up to, and that is what we agreed to do, and we are doing it.

Now, my dear friend, and he is my dear friend from Wisconsin, wants to take a portion of those savings, tear down the discipline, and provide \$2.5 billion in new spending, \$2.5 billion over those ceilings.

The argument is made that the Obey amendment does not really break the walls, it just kind of adjusts them.

Well, what good is a wall if it is full of holes? What good is a wall if it has a door that you can open and walk through every hour on the hour?

The argument can be made that, if we do not take the \$400 million in international outlay savings and spend them in the domestic accounts, the Senate, and we have heard my good friend refer to that, and the administration will spend it on foreign aid. My friends, that is a red herring. The amount of \$190 million of those funds were already assumed to be used for deficit reduction in the budget resolution that this House passed. Those funds were not even allocated to the Appropriations Committee to spend. They have already been allocated to deficit reduction and cannot be spent on foreign aid, just as the Defense Subcommittee is limited by an allocation well below the caps.

As for the remaining \$210 million of that \$400 million, Congress has made it abundantly clear at this juncture that that money will not be spent on foreign aid.

Can something happen down the road? Oh my word, yes. We sat in conference last year right before the Ukrainians were to vote on whether or not they would be a free nation, and we added in the conference with the Senate \$400 million in the defense accounts to take down nuclear weapons in the Ukraine. Do my colleagues know why? Because the Russians and the Ukrainians came to this country and said please show us how to denuke these systems. Of course we used that money.

There could be something out there. Not today.

The choice, my friends, under the amendment by my good friend from Wisconsin is not domestic spending versus international spending. The choice is busting the spending caps versus deficit reduction. We can and we should do more for infrastructure in this country. We can all agree with that. In fact, as we sit here, there is about \$150 million in unused domestic discretionary outlays available if we had the will to try to figure out how to use it. Just look back at the bills that we have handled and you can tote it up, \$150 million sitting there.

But in our rush to do what is right for the moment, let us not trample on the one and the only principle that we agreed to to guide us along the path of deficit reduction. Nobody said it better than my good friend from Illinois [Mr. MICHEL]. We made that agreement. Let us keep it.

I urge a vote for the Michel amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida [Mr. LEHMAN], chairman of the Subcommittee on Transportation.

Mr. LEHMAN of Florida. Mr. Chairman, I thank my friend from Wisconsin for yielding me the time.

I rise in opposition to the amendment for three reasons. Unemployment remains too high, transportation infrastructure is continuing to deteriorate, and third, the funding allocations available to the committee for transportation were simply not adequate to address the requirements of our Nation's transportation system.

I have the greatest respect for my friend from Illinois [Mr. MICHEL]. However, I believe that the Obey amendment at this time is better for our Nation and, therefore, I urge the defeat of the Michel amendment.

Mr. MICHEL. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. Mr. Chairman, I would like to commend my friend, the distinguished minority leader, Mr. MICHEL, for offering this important amendment. It says, in effect, that if you don't spend it—use it to pay off your bills. Believe it or not, this is not only sound accounting theory—it is plain good common sense.

If the Congress ran this country the same way the average American runs their household we would all be better off. The fact of the matter is, when you have leftover cash you use it to pay your bills.

The Michel amendment would require, in that rare instance when the Congress spends less than the budget would allow, that the leftover funds be used to finance the deficit.

I know that the Obey amendment, which we will consider next, does not

increase the deficit—but it eliminates an important opportunity to cut the deficit.

It is true that the Obey amendment if adopted could prevent additional peacekeeping assistance for Yugoslavia this year, could stop supplemental assistance for famine relief in Africa, or it could prevent subsidy costs of housing guarantees to settle Soviet Jews within the 1967 borders of Israel.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I am glad to yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, why does the gentleman say it would stop peacekeeping since my subcommittee has no jurisdiction over peacekeeping, and the funds that I am cutting in foreign aid are coming only from my subcommittee?

Mr. BROOMFIELD. The gentleman has already passed the foreign aid bill and you are actually taking the extra money for this highway bill.

Mr. OBEY. But will the gentleman yield further?

Mr. BROOMFIELD. I am glad to yield to the gentleman from Wisconsin.

Mr. OBEY. The subcommittee that has jurisdiction over peacekeeping forces is the State, Justice, Commerce Committee headed by the gentleman from Iowa [Mr. SMITH]. So any requests for peacekeeping forces would go to his subcommittee, not to mine. I am not touching the money of the subcommittee of the gentleman from Iowa [Mr. SMITH]. I am simply taking the money which I cut out of my bill last week on foreign aid and using that portion of the foreign aid funds.

So I fail to see how this would have any relevance to any peacekeeping requests.

Mr. MCDADE. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I am happy to yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, I just want to say to my friend that he is absolutely correct. International funding, known as the 150 account, is the account that governs peacekeeping, among other things, and that one, as my good friend from Wisconsin knows, is being drawn down to the bone by the gentleman's amendment. So my good friend from Iowa, should he wish to put in additional dollars for peacekeeping, as he may well wish to do, does not currently have that flexibility.

Mr. OBEY. If the gentleman will yield, I am completely agreeing to the 602 numbers, and our subcommittee voluntarily gave up some funds to the Smith subcommittee so that they could deal with issues like this.

Mr. MCDADE. But if the gentleman will yield further, I want to say what the gentleman from Michigan is directly addressing is the 150 account and whether funds remain for emergency

uses thereof, and there is no flexibility. The gentleman from Michigan is right.

Mr. BROOMFIELD. Back in 1990 the Democrat leadership and the President negotiated a painful agreement to protect the budget from measures such as the Obey amendment. At that time the President was widely criticized, especially from our side of the aisle, for raising taxes in exchange for promised limits on spending. I myself opposed the agreement because I never thought it would hold.

Regardless of the merits of that agreement, a deal is a deal, and the Obey amendment would break that understanding. Today we and the American people have the opportunity to see the proof of President Bush's leadership and the failure of the Congress.

I urge my colleagues to vote "yes" on the Michel amendment, and "no" on the Obey amendment.

□ 1710

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding this time.

Mr. Chairman, in 1990 the gentleman from Wisconsin well knows that a compromise budget summit agreement was reached, and in that agreement taxes for the people of this country were raised to the tune of \$181 billion, the largest tax increase in American history. The reason that tax increase took place, which I opposed then and oppose now, was because we had a deficit in excess of \$220 billion, and everybody was saying, "If we do not get control of the deficit, the economy of the United States is in dire peril. We are going to have economic chaos."

Well, you folks voted for that. We raised taxes \$181 billion. And what do we have today because of the increase in taxes? The economy has taken a downturn. We do not have a \$220 billion deficit anymore. We have a \$420 billion deficit, and every man, woman, and child in this country is in dire economic peril because we continue to head toward a \$13.5 trillion deficit by the year 2000 based upon statistics that the Federal Reserve has put out.

Now, if that happens, we are going to have an economic calamity in this country. So what did that bill say in 1990? It said that if any money is cut from certain areas of government, we are building a firewall; "You cannot use it for more spending in some other area. We are going to use it for deficit reduction to cut the deficit down so that the economy does not face this kind of peril" that I have been talking about.

Now, those people on the Democrat side of the aisle, the gentleman from Wisconsin [Mr. OBEY] included, promised to adhere to that agreement.

Here we are less than 2 years later and they want to tear down that fire-

wall, cut \$400 million out of foreign assistance, which is all right with me. But what do they want to do with it? They want to spend it just like we thought they would back in 1990. They want to spend it on some more programs. They will find more and more ways to spend it.

The fact of the matter is this, ladies and gentlemen, my colleagues, and anybody else who is paying attention, the debt-to-gross-national-product ratio in this country, which is Greek to most people, has gone from 33 percent of GNP to 57.4 percent in less than 10 years. That means that the amount of total output that all the workers in America produces, over half of it goes just to pay the Federal debt, just to deal with the Federal debt, and it is going to, by the year 2000, it is going to exceed all the gross national product, everything we produce in this country. We are going to have economic chaos if we do not get control of spending.

Yet my colleague, the gentleman from Wisconsin [Mr. OBEY], and others continue to head down that road toward economic calamity.

Now, I want to say one more thing: The interest on the national debt right now is \$303.9 billion.

That is more than all the health care costs that the Government pays, it is more than Social Security, it is more than defense; the largest item in the budget today is the interest on the national debt. Do you know what it is going to be like in 7½ years according to the economic projections by our Government? It is going to be \$1.2 trillion in 7½ years. The total amount of money we bring into the Treasury right now, all income taxes, all business taxes, is \$1.2 trillion, and in 7½ years the interest on the debt is going to exceed all the money we are bringing in today.

In fact, Peter Grace, the head of the Grace Commission, said that by the year 2000 all personal income taxes, 102 percent of total personal income taxes, are going to be needed just to pay the interest on the debt.

I want to say this one more time to my colleagues: What will happen if we reach this?

The year 2000, the Federal Reserve Board, who does not have to have any help from this Congress, will have to make a choice, and that choice will be either to print money to pay off part of the debt, because the interest is so high, or to default on obligations this Government has.

What they will do is they will opt to print money. Can you imagine what it is going to be like printing \$13 trillion and putting that into circulation or \$6.5 trillion, half of the debt, so we will not have half as much interest as we are going to have to pay? What it is going to mean is hyper-inflation. People on fixed income, Social Security recipients, welfare recipients, they will

have money, but when a loaf of bread costs \$20 or \$30, it will not buy very much. That is called hyper-inflation.

We have got to get control of spending. Support the Michel amendment. Taking money and tearing down the firewalls and using it for more spending is the wrong approach to solving the problem.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I hope my friend, the gentleman from Indiana, has not left the floor, because I have heard his economic-chaos class speech now on three different occasions.

The gentleman came and spoke against the parking garage in Newark and gave the speech, and he spoke a few minutes ago against a highway in Ontario, CA, and gave the speech. Now he is giving it on this particular amendment.

Mr. Chairman, I would just say to the gentleman that I think it is a good speech, but I am puzzled by the fact that the gentleman opposed my amendment just a few days ago to cut \$700 million out of star wars, and then the gentleman turned around and voted against an effort to cut over \$1 billion out of the B-2 bomber. We were talking about real deficit reduction, and this gentleman was nowhere to be found.

Would the gentleman like to explain that?

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. DURBIN. I am happy to yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I will be more than happy to explain that. The people on this side of the aisle, if the gentleman will just give me a minute—

Mr. DURBIN. I just have a few seconds.

Mr. BURTON of Indiana. You want to slash defense, and you say there is no peril out there. There are many on this side of the aisle who believe that the No. 1 concern of this Government should continue to be the defense of this Nation. We can cut defense, and I am for cutting defense, but not into the muscle and bone like Jimmy Carter did that imperils this Nation.

Mr. DURBIN. Reclaiming my time, I will just say to the gentleman that cutting star wars, a program that is obsolete, does not strike me as cutting into the defense of this Nation. I wish the gentleman's zeal for budget-cutting would extend to the Department of Defense.

Mr. MICHEL. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. COUGHLIN], the distinguished ranking member on the subcommittee.

Mr. COUGHLIN. Mr. Chairman, why is it that the American people are so disillusioned with the Congress of the United States? I would like to suggest

that in large measure it is because we are congenitally unable to restrain our urge to spend money. Why is it that every time we find a few dollars that we can save in one area, we always apply it to spending in another area, never to reducing the deficit?

In my 24 years, and lots of you have been here lots longer than I have, but in my 24 years here, I have seen measure after measure to try to reduce the deficit. All of them have failed. All of them have failed because we have found some way to get around them.

Just a couple of weeks ago we had the conference committee on the dire emergency supplemental which my colleague, the gentleman from Pennsylvania, will remember, and the gimmick we tried there to get around the budget limitations was to declare a lot of emergency spending so it would fall outside the budget limitations. That did not work there.

Now we are at it again. We are trying to find another way around our spending limitations, a way around the firewalls that we have erected.

It has been said that this amendment does not eliminate the firewalls.

Our colleague from Ohio said it best earlier today that all it does is open the door and let the horse out and then close the door again. So the horse is out of the barn.

It is said that this does not reduce the deficit. But if we do not spend the money, it does reduce the deficit. Money we do not spend reduces the deficit.

Why are we always trying to get around everything that we enact ourselves to impose some discipline on our fiscal house?

That is why the American people are disillusioned. If we do not support the Michel amendment and say that we are at least going to take this money that has been saved in the international category and apply it to deficit reduction, but we are going to transfer it to some other category and spend it, they are going to say, "You are all fools down there. You are trying to fool us when you say you are really serious about reducing the deficit. You are trying to fool us with measures that are not reducing the deficit, new programs, new ideas that say you will get everything under control."

□ 1720

The American people are not going to be fooled. The deficit is real and it is eating us alive.

Mr. MICHEL. Mr. Chairman, I yield myself such time as I may consume to conclude here.

I thank the gentleman for his comments, and I simply want to buttress the point that one of the reasons for offering the amendment is that there has been so much talk of late around here about enforcing agreements on spending. Of course, if agreements can be

changed by a whim of Congress this day or that day, then they do not mean two hoots.

My feeling, as I said in my very opening remarks, is that we had what I thought was a very solemn agreement between the two parties, established by the Congress itself, on these three basic spending categories and we ought to stick to our word. That is the key question today.

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, as those of you who know me know, I often quote my favorite philosopher, Archie the Cockroach. One of the sayings that Archie said once was this: "Proportion is very important. Of what use is it for a queen bee to fall in love with a bull?"

I really believe that we need a sense of proportion in discussing this amendment here this afternoon. This amendment is not going to have any noticeable effect one way or another on the deficit. Politicians can issue preachments in the form of congressional amendments anytime we want about the deficit; but let us take a look at the facts.

As the gentleman from Pennsylvania indicated, we have seen appropriation subcommittees so far take actions which would reduce allowable spending by roughly \$14 billion in budget authority terms.

All that the Obey amendment is going to suggest when we get to it next is that we take approximately 15 percent of that and use it to attack the deficit in a different way.

Now, what we suggest we ought to do is to use that 15 percent to try to get the economy moving.

Reference has been made and incense has been duly burned and vows have been made to the budget summit agreement of 1990, but the fact is that a few things have changed since then.

Now, the budget summit agreement of 1990 was adopted at a time when we had a \$200 billion deficit, as has been correctly pointed out; now we have a deficit of about \$400 billion.

Did that happen because George Bush went nuts on spending? Of course not.

Did it happen because the Congress added large amounts to spending? No; they did not.

We basically adhered to that agreement, but the deficit nonetheless has doubled because a couple things got in the way. One was called the S&L crisis, which had to be funded and which was, responsibly, by both parties.

Second, the economy fell apart. When the budget agreement was passed, unemployment levels in this country were 5.7 percent. Today they are 7.8 percent. That means that we have hundreds of thousands of additional families who are not working. If they are not working, they are not making money. If they are not making money, they are not paying taxes. If they are

not making money, they are not buying things. They are not buying houses. They are not buying cars. They are not buying steel. They are not buying a whole bunch of other products.

So what we are suggesting in a very modest amendment is that, yes, we will retain the budget walls. Yes, we will devote the overwhelming share of spending reductions to deficit reduction. We all endorse that, but we do believe that since last month alone we lost another 117,000 jobs in this economy, and all we ought to do is say OK, because we have an opportunity here in the private sector, operating at the local level through State governments, to provide additional employment to move the economy forward, to give it an extra kick. We are suggesting a very modest proposal, a transfer of \$400 million in outlays in order to create roughly 150,000 construction jobs. That is what we are doing, and it has nothing to do with any attack on the budget ceilings, because our amendment will keep the budget ceilings in place. We will not spend one dime more than the budget resolution that we have signed on to would allow us to spend, and the amendment makes that quite clear.

So as I said, we can have this theological debate about how best to attack the deficit. The fact is we agree with the gentleman from Illinois [Mr. MICHEL]. There would be no great harm in the Michel amendment being adopted, but the amendment that comes afterward simply tries to buttress the direct deficit reduction with a little help to jump-start the economy through adding a few construction jobs so that in the process we might keep our promise to every State in the Union in terms of construction levels for the coming year.

Mr. MICHEL. Exercising my right to close, Mr. Chairman, as the author of the amendment authorized by the rule, may I simply say in conclusion that I doubt very much whether I would have introduced the amendment had it not been for the intelligence we received earlier that there might very well be offered to this bill an amendment that will follow this one, the Obey-Gephardt amendment, which for all practical purposes breaks a solemn agreement. Had it not been for the suggestion that that might be offered, you would not have been voting on this amendment of mine, because it would not have been necessary; but sometime we have to come to grips with whether or not we are going to abide by our word around here, and that is the reason for our offering the amendment.

I ask for support for the amendment when we vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MICHEL].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MICHEL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 268, noes, 143, not voting 23, as follows:

[Roll No. 281]

AYES—268

Alexander	Geren	Morella
Allard	Gibbons	Morrison
Allen	Gilchrist	Murphy
Andrews (TX)	Gillmor	Murtha
Anthony	Gilman	Myers
Applegate	Gingrich	Natcher
Armedy	Glickman	Neal (NC)
Aspin	Gonzalez	Nichols
Baker	Goodling	Nussle
Ballenger	Goss	Olin
Barrett	Gradison	Ortiz
Barton	Grandy	Orton
Bateman	Green	Owens (UT)
Bellenson	Guarini	Oxley
Bennett	Gunderson	Packard
Bentley	Hall (OH)	Pallone
Bereuter	Hall (TX)	Panetta
Bevill	Hammerschmidt	Parker
Bilbray	Hancock	Patterson
Billirakis	Hansen	Paxon
Billey	Harris	Payne (VA)
Boehlert	Hastert	Penny
Boehner	Hefley	Petri
Boucher	Henry	Pickett
Brewster	Heryer	Pickle
Brooks	Hoagland	Porter
Broomfield	Hobson	Poshard
Browder	Hochbrueckner	Price
Bruce	Holloway	Pursell
Bryant	Hopkins	Quillen
Bunning	Horn	Ramstad
Burton	Horton	Ravenel
Bustamante	Houghton	Regula
Byron	Hunter	Rhodes
Callahan	Hutto	Ridge
Camp	Inhofe	Riggs
Campbell (CA)	Ireland	Rinaldo
Carper	Jacobs	Ritter
Chandler	James	Roberts
Clement	Johnson (CT)	Roemer
Clinger	Johnson (SD)	Rogers
Coble	Jones (NC)	Rohrabacher
Coleman (MO)	Kanjorski	Ros-Lehtinen
Combest	Kaptur	Roth
Condit	Kasich	Roukema
Cooper	Kennelly	Rowland
Costello	Klug	Sangmeister
Coughlin	Kolbe	Santorum
Cox (CA)	Kyl	Sarpalius
Cox (IL)	Lagomarsino	Sawyer
Cramer	Lancaster	Saxton
Crane	LaRocco	Schaefer
Cunningham	Laughlin	Schiff
Dannemeyer	Leach	Schroeder
Davis	Lewis (CA)	Sensenbrenner
de la Garza	Lewis (FL)	Shaw
DeLauro	Lightfoot	Shays
DeLay	Livingston	Shuster
Derrick	Long	Sikorski
Dickinson	Lowery (CA)	Sisisky
Dicks	Luken	Skaggs
Dooley	Machtley	Skeen
Doolittle	Manton	Skelton
Dorgan (ND)	Martin	Slattery
Dornan (CA)	Mavroules	Smith (NJ)
Dreier	McCandless	Smith (OR)
Duncan	McCollum	Smith (TX)
Durbin	McCrery	Snowe
Eckart	McCurdy	Solomon
Edwards (OK)	McDade	Spence
Edwards (TX)	McEwen	Spratt
Emerson	McGrath	Stallings
English	McMillan (NC)	Stearns
Erdreich	McMillen (MD)	Stenholm
Ewing	Meyers	Stump
Fawell	Mfume	Sundquist
Feighan	Michel	Tallon
Fields	Miller (OH)	Tanner
Fish	Miller (WA)	Tauzin
Franks (CT)	Molinari	Taylor (MS)
Galleghy	Montgomery	Taylor (NC)
Gallo	Moorhead	Thomas (CA)
Gekas	Moran	Thomas (GA)

Thomas (WY)
Thornon
Torricelli
Upton
Vander Jagt
Volkmer
Vucanovich

Walker
Walsh
Weber
Weldon
Whitten
Wilson
Wolf

Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—143

Abercrombie
Anderson
Andrews (ME)
Andrews (NJ)
Annunzio
Atkins
AuCoin
Bacchus
Berman
Blackwell
Bonior
Borski
Brown
Brown
Cardin
Carr
Chapman
Clay
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers
Coyne
Darden
DeFazio
Dellums
Dingell
Dixon
Donnelly
Downey
Dwyer
Dymally
Early
Edwards (CA)
Engel
Espy
Evans
Fasell
Fazio
Flake
Foglietta
Ford (MI)
Ford (TX)
Frank (MA)
Frost
Gedden
Gephardt
Hamilton
Hayes (IL)

Hertel
Hoyer
Hughes
Jefferson
Jenkins
Johnston
Jones (GA)
Jontz
Kennedy
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lantos
Lehman (CA)
Lehman (FL)
Levin (MD)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Lowey (NY)
Markay
Martinez
Matsui
Mazzoli
McCloskey
McDermott
McHugh
McNulty
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Moody
Mrazek
Nagle
Neal (MA)
Nowak
Oakar
Oberstar
Obey
Olver
Owens (NY)
Pastor

Payne (NJ)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Rahall
Rangel
Reed
Richardson
Roe
Rose
Rostenkowski
Roybal
Russo
Sabo
Sanders
Savage
Scheuer
Schumer
Serrano
Sharp
Slaughter
Smith (FL)
Smith (IA)
Staggers
Stokes
Studds
Swett
Swift
Synar
Torres
Traficant
Unsoeld
Valentine
Vento
Viscosky
Washington
Waters
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yates

NOT VOTING—23

Ackerman
Archer
Barnard
Boxer
Campbell (CO)
Gaydos
Gordon
Hatcher

Hayes (LA)
Hefner
Hubbard
Huckaby
Hyde
Johnson (TX)
Lent
Marlenee

Ray
Schulze
Solarez
Stark
Towns
Traxler
Yatron

□ 1750

The Clerk announced the following pair:

On this vote

Mr. Ray for, with Mr. Towns against.

Messrs. AUCCOIN, KENNEDY, SERRANO, McHUGH, and MOODY, Mrs. LLOYD, and Ms. SLAUGHTER changed their vote from "aye" to "no."

Messrs. THOMAS of Georgia, ECKART, and TORRICELLI, and Ms. DELAURO changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there additional amendments to title III of the bill?

AMENDMENTS EN BLOC OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer amendments en bloc made in order by the rule.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Mr. OBEY:

On page 7, line 14, strike "\$2,515,739,000" and insert "\$2,553,739,000".

On page 14, line 15, strike "\$1,800,000,000" and insert "\$1,850,000,000".

On page 18, line 6, strike "\$14,440,000,000" and insert "\$16,690,000,000".

On page 36, strike out line 15 through line 24, and insert the following:

"For necessary expenses for discretionary grants as authorized by section 21(b) of the Federal Transit Act, to remain available until expended, \$132,000,000: *Provided*, That no more than \$1,857,000,000 of budget authority shall be available for these purposes: *Provided further*, That, notwithstanding any provision of law there shall be available for fixed guideway modernization \$640,000,000, there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities \$320,000,000, and there shall be available for new fixed guideway systems \$897,000,000 of which—"

On page 67, after line 16, insert:

"SEC. 339. ADDITIONAL INVESTMENT IN AMERICA.—(a) Effective upon the date of enactment of this Act, the fiscal year 1993 discretionary spending limits set forth in section 601(a)(2) of the Congressional Budget Act of 1974 are amended for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 and the Congressional Budget and Impoundment Act of 1974, as follows:

(1) the outlay limit for the domestic category shall be increased by \$400,000,000; and

(2) the outlay limit for the international category shall be reduced by \$400,000,000.

(b) Notwithstanding any other provision of law, the Office of Management and Budget and the Congressional Budget Office shall recalculate all adjustments to fiscal year 1993 discretionary spending limits required under section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 based on the amendments required in subsection (a) and shall report the revised limits to the Congress in the report to Congress for this Act that is required under section 251(a)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985, and such revised limits shall be valid as if made pursuant to section 251(b) of the Act.

(c) The Congress reaffirms that the deficit reduction assigned to the Committees on Appropriations in the 1993 Concurrent Budget Resolution (H. Con. Res. 287) shall be achieved. The total of the first four domestic discretionary appropriations bills passed by the House is \$154,000,000 below their outlay targets. Additional savings are expected to be made from the six remaining non-defense bills. The Congress intends and commits that the final appropriations bills for fiscal year 1993 sent to the President will fully comply with their existing deficit reduction target.

POINT OF ORDER

Mr. WALKER. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WALKER. Mr. Chairman, the gentleman from Wisconsin [Mr. OBEY]

raises his amendment under the provisions of the rule adopted by the House, House Resolution 513.

House Resolution 513 under the provisions of rule XXII of the House is a resolution which speaks to the procedures of the House of Representatives, and therefore related directly to the House.

If in fact the gentleman was raising his amendment under the provisions of rule XXI, my point of order would not stand because under rule XXI, where it says, "No provision changing existing law shall be reported in any general appropriation bill except germane provisions which retrench expenditures by the reduction of amounts of moneys covered by the bill," and so on, a House resolution can speak to that.

The amendment of the gentleman from Wisconsin [Mr. OBEY] also speaks to a change in public law. Public Law 93-344, section 311, states that an amendment that would cause the appropriate level of total new budget authority or total budget outlays set forth in the most recently agreed to concurrent resolution on the budget for such fiscal year to be exceeded, that public law also prevents such an amendment from coming to the floor.

A House resolution such as House Resolution 513 has no basis on which to waive provisions of public law. It can only waive those things which are within the jurisdiction of the House to waive.

Section 311 of Public Law 93-344 makes it very clear, quoting from the public law, that this is either in the House of Representatives or in the Senate. So therefore the public law makes it impossible for such amendments to come to the floor.

The gentleman from Wisconsin [Mr. OBEY] would have us work on an amendment which is in fact a violation not only of the House rules, but also of public law, and my point of order relates to the provisions of Public Law 93-344 that the amendment is ineligible for consideration in the House of Representatives.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. OBEY] seek recognition?

Mr. OBEY. Mr. Chairman, I would simply note that the House has the right to try to amend public law at any time it chooses. I would simply read from House Resolution 513, which reads as follows:

Each amendment printed in the report may be offered only by the named proponent or a designee, shall be considered as read when offered, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report are waived.

Mr. Chairman, I think that is self-explanatory.

Mr. WALKER. Mr. Chairman, I wish to be heard further. The gentleman from Wisconsin [Mr. OBEY] quotes only from House Resolution 513. House Resolution 513 under the rules of the House, under the provisions of rule XXII, can relate only to procedures of the House of Representatives. What the gentleman is attempting to do here is not just change the procedures of the House of Representatives, but also change provisions of public law.

Therefore, I insist that my point of order be upheld as a violation of public law, not only a violation of the House rules.

The CHAIRMAN (Mr. BOUCHER). The Chair is prepared to rule on the point of order offered by the gentleman from Pennsylvania [Mr. WALKER].

Under the Constitution, article 1, section 5, each House has the authority to change its rules at any time, even rules enacted into law and specifically contained in the Budget Act. In fact, section 904 of the Budget Act acknowledges that title III of the Budget Act is enacted as an exercise in rulemaking, subject to the constitutional authority of either House to change those rules at any time.

The House has adopted House Resolution 513. On page 2, lines 21 to 23 of the rule, all points of order against all amendments granted in the report accompanying H.R. 513 are waived.

The pending amendment is printed in the report, and, accordingly, the point of order is not sustained.

The gentleman from Wisconsin [Mr. OBEY] will be recognized under the rule for 30 minutes in support of his amendment, and a Member in opposition will be recognized for 30 minutes.

Does a Member rise in opposition?

Mr. COUGHLIN. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. COUGHLIN] will control the 30 minutes in opposition.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, last week the Government's economic reports indicated that another 117,000 people lost their jobs. As I look around, all of us, at least certainly all of the males, are wearing rather nice looking suits, nice looking clothing. We are in a comfortable atmosphere. It seems to me that we have a special obligation to remember that there are an awful lot of people who are not.

Mr. Chairman, I think this institution has an obligation and the Government itself has an obligation to get off its collective duff and not to be, as Franklin Roosevelt used to say, "frozen in the ice of its own indifference."

Mr. Chairman, I think we have an obligation to recognize that the economy is in trouble and that we need to find a way to deal with the unemployment

losses that we have seen all across the country.

Mr. Chairman, we have a very simple choice: we can do nothing, or we can try to do something. This amendment suggests that we do a very modest something. It will create roughly 150,000 jobs by taking money which we have previously saved, largely from the foreign aid bill just 2 weeks ago, and instead use it to try to create jobs for our own people who desperately need them. It guarantees that we will not add one dime to the deficit in doing so because of subsection (c) of the amendment.

Mr. Chairman, we are told that the administration opposes this amendment, and I want to tell you why.

The administration claims that this bill would increase the deficit. The administration prepared its statement in attacking a different amendment, but it certainly does not describe this one, because this amendment specifically indicates that the deficit cannot be raised by one dime.

□ 1800

Second, the administration suggests that this amendment takes down the firewalls. It does no such thing. The firewalls in the budget remain. We simply adjust them to the tune of \$400 million down for foreign aid and \$400 million up for domestic discretionary spending. What is the real reason that the administration, in my view, wants to oppose this amendment? It is because they still hope to restore the cuts in foreign aid which this House made on a bipartisan basis just 2 weeks ago.

I have another statement of administration policy right here, which indicates that they are unhappy because we cut the foreign aid bill by \$1.2 billion. They indicated that they want to use the legislative process to make additional changes to repair that damage. And that means, in plain language, going to the Senate and having that spending restored.

If the membership of the House wants to guarantee that that money will not be spent for foreign aid, this is the best thing to do with it. It guarantees it. It is spent in a very disciplined and modest effort to create construction jobs in the private sector here in this country. I would urge my colleagues to support it.

Mr. Chairman, I reserve the balance of my time.

Mr. COUGHLIN. Mr. Chairman, I yield 5 minutes and 30 seconds to the distinguished ranking member of the Committee on the Budget, the gentleman from Ohio [Mr. GRADISON].

Mr. GRADISON. Mr. Chairman, the Michel amendment just approved overwhelmingly by the House and the Obey-Gephardt-Roe amendment now before us present the House with an opportunity to put its words into action.

In March, and again in June, the House voted on fundamental budget concepts—in essence, deciding what budget rules would be applied later to specific spending decisions.

In March, the House voted 238-187 to keep the firewalls that separate defense, international and domestic discretionary spending. We debated vigorously whether the deficit was likely to be lower with or without those firewalls. Members on the losing side argued that if we kept the firewalls, the tendency would be to spend every last dime available in each respective category. Members on the prevailing side argued that retaining the firewalls would require any money that could be saved to go for deficit reduction.

In June, the House voted 280-153 for a balanced budget constitutional amendment. The vote fell just a handful short of the two-thirds majority needed for passage. The proponents of the amendment argued that Congress seems incapable of self-discipline when it comes to spending, and that something stronger is needed. Opponents of the amendment argued that Congress already has more than sufficient power to reduce the deficit; our powers only need to be exercised.

The votes today give Members on both sides of these two debates a chance to put their money where their mouths were. Those who voted for the Michel amendment and later today vote against the Obey-Gephardt-Roe amendment, reaffirm their determination to live within the existing deficit control rules, sending two messages to our constituents, to the other body, and to ourselves. First, we would be saying that if we find it possible not to spend every last dime allocated to defense and international programs, any leftovers should be used to reduce the deficit. Right now those leftovers from House-passed bills amount to nearly \$12 billion. Second, we would be saying that \$206 billion in budget authority and \$225 billion in outlays is enough to spend in 1 year on domestic discretionary programs. If we decide to spend more on some areas—such as highways, mass transit, and the Coast Guard—then, like almost every family in America, we will have to spend less on other things.

On the other hand those who voted against the Michel amendment and later vote for the Obey-Gephardt-Roe amendment will be sending some very troubling messages. They would be saying that they have changed their minds on the firewall votes. They would be saying that even though last March we voted to apply any leftovers to deficit reduction, now we have decided to spend them on things that will have election day appeal—and never mind the long-term consequences. And even though we said in June that we did not need a constitutional amendment—because we could reduce the deficit by

making tough votes on spending decisions—voting for Obey-Gephardt-Roe would be saying, in effect: "Well, we aren't going to make the tough votes just yet."

I looked through the CONGRESSIONAL RECORD to see what some of my colleagues said in June about taking tough votes. If they truly meant what they said then, the Obey-Gephardt-Roe amendment will be overwhelmingly defeated. For example, here are statements from a high ranking member of the Budget Committee:

The only way you reduce the deficit is through tough votes on issues, tough votes. If you are not willing to make those choices, there is not a constitutional amendment in the world that is going to give you the guts to do it.

Another member of the Budget Committee said:

If Members of the House are truly serious about balancing the budget, then let us begin right here and now to work toward that goal in the proper and responsible way. By voting on a plan of spending cuts and tax increases that will produce those results.

And yet another member of the Budget Committee:

What a balanced budget amendment will do is to avoid the real responsibility of having to make the hard choices. * * * The budget can begin to be balanced right now. Gimmicks won't do it. Political will and courage is what it will take.

A member of the Public Works Committee said:

A constitutional amendment to balance the budget is simply unnecessary. It is unnecessary because we can do the very same job on our own, without a constitutional amendment.

Another Member of the House said:

The fundamental question before this body today is whether we are ready to lead this Nation by making the tough choices that will build a better future, or whether we will choose to rely on a budget gimmick to hide our inaction and indecision.

Yet another Member:

The budget cannot be balanced by words promising fiscal responsibility. The budget can only be balanced through a systematic plan of action which requires that the elected officials of this country make the difficult choices.

Mr. Chairman, I could continue for quite a while with these quotes, but I'm sure everyone gets the point. In March and June we were voting on how we would proceed in the future to deal with the deficit. Today, we are not dealing with hypotheticals. We have real choices before us—to spend or not to spend, to increase the deficit, or not to.

The sponsors of the Obey-Gephardt-Roe amendment describe it as a trade off between spending on Americans and spending on foreigners. In reality it is a choice between spending and not spending. The fiscal year 1993 budget resolution provides an outlay level for international programs that is \$189 million below the cap. Two weeks ago,

when the House passed the fiscal year 1993 foreign operations appropriation bill, the outlays were reduced to a level \$231 million below the allocation. These combined decisions put outlays for international programs \$411 million below the cap. In other words, if this money is not spent, the deficit will be lower by \$411 million. The Obey-Gephardt-Roe amendment, instead of reducing the deficit, would raise the domestic discretionary cap by \$400 million and spend the money.

The vote on the Obey amendment is one of the key budget votes that will occur this year. If we vote to scoop up \$400 million from leftover international funds and spending it on transportation, then it will be hard to argue that we should not also scoop up billions more left over from the defense caps and spend that money too. This will lead us right back to the uncontrolled spending that forced us into the Budget Enforcement Act of 1990.

I urge my colleagues to vote against the Obey-Gephardt-Roe amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Chairman, the effect of our amendment is to restore funding to a number of surface transportation programs in an amount at or close to, as the case may be, levels provided for those programs by this Congress 8 months ago in the Intermodal Surface Transportation Efficiency Act of 1991, and to increase funding for the Airport Improvement Program authorized in H.R. 4691, as passed by the House of Representatives on May 19 of this year.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. ROE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, the gentleman is correct. The amendment increases fiscal year 1993 funding above the level reported by the Appropriations Committee for the programs covered by the amendment. In addition to the ISTEA programs addressed by the chairman of the Committee on Public Works and Transportation, the amendment also increases funding for operating expenses of the Coast Guard by \$38 million for fiscal year 1993.

Mr. ROE. Mr. Chairman, it is our intent that the covered programs under ISTEA being restored in the amendment are the Federal-aid highway obligation ceiling by \$2.25 billion and mass transit discretionary grants by \$257 million. Is this the understanding of the gentleman from Wisconsin?

Mr. OBEY. Mr. Chairman, if the gentleman will continue to yield, the gentleman from New Jersey is correct.

Mr. ROE. Mr. Chairman, concerning the mass transit discretionary grants, we further intend in the amendment that the additional \$257 million being provided for fiscal year 1993 be used to restore new start funding to the fiscal

year 1993 levels designated, and in the manner described, in existing law under the Intermodal Surface Transportation Efficiency Act of 1991.

Mr. OBEY. The chairman is correct. For funds being added by this amendment, the previously approved ISTEA language governs. That language was approved by the Congress and signed into law by the President.

Mr. ROE. Mr. Chairman, I thank the gentleman.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

□ 1810

Mr. SCHUMER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to the Obeey amendment. I do it from a different basis than that of my friend from Ohio. That is on the basis that we need really a pot of money, some on the foreign affairs side. No one in this room can say without equivocation that there will not be an emergency somewhere in the next 6 months for which some dollars are needed. For instance, there may be a problem in Yugoslavia, there might be a problem in Latin America, there might be a problem elsewhere. Of course, the problem that I am most concerned about is the problem in the Middle East, the problem of tens of thousands, maybe hundreds of thousands of Soviet citizens, Russian citizens, Ukrainian citizens, no longer Soviet citizens, who may wish to leave that country and cannot because we do not have loan guarantees.

As the gentleman from Wisconsin [Mr. OBEY] has noted, the State of Israel has said that under normal conditions they would pay whatever set-asides there need be for the loan guarantees, and I believe that to be true. But let us say there is an abnormal condition. Let us say for some reason either OMB or CBO says we needed 10 or 12 percent of a reserve fund. We might not get it.

I do want to say to my colleagues that many of us who care about Israel are split on this issue. The gentleman from Florida [Mr. SMITH], the gentleman from Connecticut [Mr. GEJDESON], are voting for this amendment, so I must tell my colleagues that I do not think it is a life-or-death issue, particularly in light of what our majority leader has said, and our Democratic leadership in the House. That is that they will try to come up with the extra money if it is needed, and that alleviates some of my concern.

Nonetheless, I think if is foolhardy and a mistake for us to take every last nickel, with the exception of \$22 million, out of the foreign affairs pot and spend it all now, so I am going to vote no on this amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I thank the very distinguished gentleman from Wisconsin for yielding me this time.

Mr. Chairman, I rise in strong support of the en bloc amendments offered by the majority leader, Mr. GEPHARDT, and our colleagues, Mr. ROE and Mr. OBEY.

Six months ago, the Congress authored, and the President signed into law, a 6-year blueprint for investing in transportation for America.

The President did not veto that bill, as he has so many other of our initiatives, because he knew that our Intermodal Surface Transportation Efficiency Act—if funded fully—would create millions of jobs to build and rebuild America's roads, bridges, and transit systems.

Today, Mr. Chairman, 10 million Americans are out of work. Congress and the President must respond, and we can do that here and now.

Americans want jobs—not rhetoric. Americans want better roads and better transit service—not fiscal paralysis in the face of historical change.

Mr. Chairman, make no mistake about it. This amendment breaks down what has come to be called a firewall. The term is a misnomer. There is no protection here.

At a time when America desperately needs funding for its infrastructure, this so-called firewall is nothing more than a wall that impedes rather than protects.

So far, however, many of our colleagues have seemed more interested in preserving this firewall, born of the cold war, than in investing in America.

By fighting and winning the cold war, America paid a great price.

We did without.

We did without many needed roads.

We did without many needed improvements to our transit systems and safety programs.

We did without many needed jobs.

Now, Mr. Chairman, we must begin to reward that sacrifice with investment in America and in Americans.

We all know that winning the cold war gave us fewer Federal dollars to work with today.

We all know that Congress must adopt a pay-as-you-go budget policy.

But that's the beauty of transportation funding, Mr. Chairman: it already is pay as you go.

The highway trust fund, including its mass transit account, is entirely self-supporting through Federal motor fuel taxes.

All we need is the budget authority to spend the money that Washington has already collected at the pump to invest in transportation.

And all we are asking for is common sense.

Our amendment does not take a penny away from foreign aid.

Our amendment does not interfere with deficit reduction.

The highway trust fund is in surplus. We do not need to find the money to spend on transportation.

All the American people want is for the money they have paid for transportation to be spent on transportation and create jobs.

That is what Congress promised we would do last year.

The Gephardt-Obeey-Roe amendment will make it possible for us to keep our word—and Congress must keep its word.

Our transportation vision for the 1990's is a model of how to rebuild America the way Americans want it built.

Just 6 months ago, Congress and the President made that vision the law of the land. Failing to fund that vision is a failure of leadership masquerading as fiscal responsibility.

The Gephardt-Obeey-Roe-Hammerschmidt-Mineta-Shuster amendment to H.R. 5518 restores \$257 million of spending authority to the Federal Transit Act, section 3, New Start Program to fully fund all projects designated in the Intermodal Surface Transportation Efficiency Act of 1991 (P.L. 102-240) for fiscal year 1993 funding.

The \$257 million is the exact amount necessary to provide full funding for the 21 projects specifically designated in sections 3030 through 3035 of ISTEA for fiscal year 1993 funding that did not receive full funding in H.R. 5518 as reported by the Committee on Appropriations.

ISTEA requires that these projects receive the full amount designated. The restoration of the \$257 million will fulfill that requirement.

These projects differ from other projects authorized in sections 3030 through 3035 of ISTEA that do not have specific year-by-year funding designations. The conferees on the Intermodal Surface Transportation Efficiency Act of 1991 intended that only those projects without specific year-by-year funding designations be subject to annual funding decisions by the Committee on Appropriations.

The Public Works and Transportation Committee has been empowered to provide contract authority for the Federal-Aid Highway Program and the Federal Transit Program by the Federal Highway Act of 1958, title 23 United States Code, the Federal Transit Act, and by congressional budget scorekeeping rules and practices originating in 1979.

A complete list of the 21 transit projects to be funded by the \$257 million follows:

Additional funds for new start projects provided in Obeey amendment

	Mil- lions
Baltimore LRT extension project	\$5
Chicago central area connector project	30

Additional funds for new start projects provided in Obey amendment—Continued

	Mil- lions
Cleveland dual hub corridor project	.5
Maryland commuter rail project	50
New Jersey urban core project	36.7
New York Queens connection project	8.7
San Diego mid-coast extension project	3
San Francisco Airport BART extension project and Tasman Corridor LRT project	55
Detroit light rail project	10
Kansas City light rail project	4.4
Chattanooga downtown trolley project	1
Suspended light rail system technology pilot project	4
Hawthorne, New Jersey-Warwick Commuter Rail Service	11.156
North Bay Ferry Service Demonstration Program	9
Staten Island-Midtown Manhattan Demonstration Program	11
Lakewood-Freehold-Matawan or Jamesburg rail project	3
Charlotte, North Carolina, light rail study	.375
Northeast Ohio feasibility study	.8
Dallas/Fort Worth Railtran System	3.2
Largo, Maryland, rail extension project	5
Los Angeles-San Diego rail corridor improvement project	5
Total	256.831

And that is why I urge my colleagues to invest in America and support the Gephardt-Obey-Roe amendment.

Mr. COUGHLIN. Mr. Chairman, I yield 4½ minutes to the gentleman from Pennsylvania [Mr. McDADE], the very distinguished ranking member of the full Committee on Appropriations.

Mr. McDADE. Mr. Chairman, I thank my colleague for yielding time to me.

Mr. Chairman, we have had this debate before. This is not a new debate, trying to use defense or international savings for other purposes, particularly domestic purposes. The Members voted in March not to do that by a vote of 238 to 187. They voted not to take down the walls in fiscal year 1993. Apparently the message was not clear, and my friend, in his amendment, still hopes to increase Federal spending. My friends, try as you might, I do not think it is going to work.

Back in March we had the opportunity to send a sorely needed message to the American people about our ability to save money and make tough decisions. We had the opportunity to show that we do care about deficit reduction, and that we understand the impact of long-term persistent deficit spending. We had the opportunity to show the American people that Congress can strap down and live within its own limitations with the balanced budget amendment.

Today my colleague offers an amendment to use funds slated for international spending on the highway program. One can only guess what is com-

ing tomorrow. Today, let me bring this to the Members' attention, if I may: Today this transportation bill that we will soon vote on, contains \$33.4 billion in fiscal year 1993 outlays, an increase of \$1.6 billion in outlays over last fiscal year and it provides on the face of it 1.3 million jobs in the United States of America.

That should not surprise anybody. We already voted to do that. We did that in the budget resolution. We voted for \$33 billion for transportation in the 1993 budget resolution. That is what was voted on, \$33 billion.

Guess what the total of this bill is: It is \$33.4 billion. Should we be surprised that we are complying with what the House has voted to do time, and time, and time again?

Some people say yes, we need to spend more, more than the \$17.4 billion in here for highways, more than the \$9 billion in here for the FAA, more than the \$3.8 billion in here for transit programs, and more than the \$3.6 billion in here for the Coast Guard.

Some say that the subcommittee did not fully fund last year's intermodal surface transportation bill that we all embraced with great glee. The truth of the matter is we do not have the resources to do that. Where are the savings when the budget deficit is \$400 billion in the current year and the debt is \$4 trillion?

The tightness of the budget was not created by the defeat of the firewalls bill; it was an agreement that we all signed onto. The leadership of the House and the administration agreed on a budget summit to try to keep the Federal deficits in some kind of balance. Entitlement spending, as everybody in this Chamber knows, is two-thirds of the budget and is off budget, not subject to our vote.

While tightening budget constraints is tough for all of us to deal with, it is important to point out the context: Our national debt is \$4 trillion. One out of every four dollars this Government spends is borrowed.

This amendment is just another effort to take down the firewalls. I am sure it is not going to be the last. Somebody else is going to try.

I said this is a 1.3 million jobs bill. If we put the Obey amendment in it, and we risk a certain veto, we are putting in jeopardy 1.3 million jobs for Americans.

Listen to this. When we were debating the Michel amendment, I told the Members because of actions taken to date there is roughly \$150 million in domestic discretionary outlays available. That yields \$1 billion in budget resources and 55,000 new jobs. Bring it up as a standing bill and we will vote on it after we come back from the convention.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas [Mr. HAMMERSCHMIDT], the distin-

guished ranking Republican of the Committee on Public Works and Transportation.

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in support of the Obey amendment. This amendment will use \$400 million in outlay savings from the foreign operations appropriations bill to restore about \$2.5 billion in transportation spending. Insofar as highways and transit are concerned, this represents a partial restoration of funding that was provided in the Intermodal Surface Transportation Efficiency Act of 1991 just 7 months ago. And, in aviation, the amendment would partially restore the reduction in airport improvement funds from fiscal year 1992 levels.

Let me focus specifically on the highway issue. The amount provided in the appropriations bill for the basic Federal-aid Highway Program is woefully inadequate: About \$4 billion less than provided in ISTEA and nearly \$2 billion less than the level proposed by the President. By raising the highway obligation ceiling by \$2.25 billion, the Obey amendment would merely restore the highway obligation ceiling to roughly the amount in the President's budget.

So, while the amendment would still leave us about \$2 billion below the obligation authority in ISTEA, it is a vast improvement over the inadequate level in the appropriations bill.

The Gephardt-Obey-Roe-Hammerschmidt-Mineta-Shuster amendment to H.R. 5518 restores \$257 million of spending authority to the Federal Transit Act Section 3 New Start Program to fully fund all projects designated in the Intermodal Surface Transportation Efficiency Act of 1991, Public Law 102-240, for fiscal year 1993 funding.

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Charlotte, North Carolina, light rail study375
Northeast Ohio feasibility study8
Dallas/Ft. Worth Railtran System ...	3.2
Largo, Maryland, rail extension project	5
Los Angeles-San Diego rail corridor improvement project	5
Total	256.831

I know that there will be concerns about shifting money from the international spending account to the domestic spending account. Some will fear that this will set a bad precedent and will lead to efforts to raid the defense budget to fund other domestic programs.

I do not believe that this will be the case. We have a unique opportunity here to take advantage of savings that were made with broad bipartisan support and to shift those savings to programs that also enjoy broad bipartisan support, as evidenced in the overwhelming votes in favor of the ISTEA legislation. It is very unlikely that similar circumstances will occur again in the 102d Congress.

In addition, this is not the final word on the subject. Ultimately, the conference committees on the foreign operations appropriations bill and the DOT appropriations bill will have to decide how much of a shift will actually take place. During this process, the administration will have ample time to have its views carefully considered in this matter.

In summary, by adopting this amendment, Congress will be taking a posi-

tive step toward at least partially restoring the job creation and infrastructure improvement potential of ISTEA. It will also be averting the severe criticism, to which I fear Congress will be subjected, if it funds the program at a level so far below what the President recommended and what is in the ISTEA legislation.

Mr. Chairman, I urge Members to support the amendment.

□ 1820

Mr. COUGHLIN. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, I thank the gentleman for yielding me the time.

I rise in opposition to the Obey amendment. And I say this for the Members to consider exactly what is happening here: The Budget Enforcement Act sets the international affairs cap at a certain level. The budget resolution passed by both Houses reduces that by \$200 million in outlays. The bill that Chairman OBEY presented last week, that I supported, that had what I thought was an excellent mix in terms of supporting the kinds of foreign aid programs that I think are important and cutting the ones I do not think are important reduced that bill in outlays an additional \$20 million, \$1.2 billion below the President's budget in budget authority.

Now we have an amendment which would suggest lowering the Enforcement Act to the figure, within \$20 million of that figure in outlays before the Senate has acted. This is not the way to handle international relations. This is not the way to provide a level of flexibility.

If the Senate decides they want to plus up the military aid account, every penny of that is going to have to come out of one of the programs, the Development Assistance Program, the Refugee Program, the Peacekeeping Program that will be funded on the House side. There is no flexibility left in this.

There is \$7 billion of totally unused defense cuts between the cap and the budget resolution, and a lot of money in the defense appropriation that has already passed on Star Wars and on unneeded five new B-2 bombers and other things like that from which this money could come.

God knows I think transportation increases are important. I think they are so important that I am prepared to support a gas tax to fund them. But why transportation in terms of this shift? Chairman NATCHER of the Labor-HHS Subcommittee had tremendous pressures on education and health. Why the decision that all of this money will go to transportation and not to other allocations within the domestic budget?

This is a very inflexible amendment. Things can occur in the context of the

next 2 or 3 months in the area of peacekeeping or loan guarantees to provide tremendous flexibility.

I want to make one last comment. There are proponents of this amendment, in fact sponsors of this amendment who are strong supporters of the United States-Israel relationship. There are opponents of this amendment who could not care less about that, and would do things to sever that relationship. This is not a test of that. But to take away the flexibility for \$50, \$100, \$150 or \$200 million based on what might happen in this world is just pure crazy.

I think this amendment should be defeated. I think this is the wrong approach. We have \$7 billion in defense spending if we want to make this transfer, if this is the only way to do it.

This is a political response to a serious problem, and I would urge the Members to defeat it.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Mr. Chairman, in March I voted against the first firewalls bill. I intend to vote for the Obey amendment tonight.

Why am I doing so? Because of the changed conditions which have intervened, and particularly the 7.8 percent unemployment which was announced for the month of June. That translates into 100,000 fewer jobs that we had in June and into 10 million Americans who are unemployed.

We need to put Americans, Kentuckians, Louisvillians back to work. We need to put them to work on construction programs right now even as we are, concurrently, doing our best to balance the budget and to reduce deficits.

As I understand it, the \$400 million which is shifted from foreign aid translates into 2.5 billion dollars' worth of highway, mass transit and airport projects. With respect to Louisville, we have right now 30 million dollars' worth of ready-to-go projects that could immediately put Kentuckians and Louisvillians to work under this bill.

The Obey amendment does not raise the deficit one penny. The Obey amendment does put people back to work. The Obey amendment should be passed tonight.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Chairman, I rise in support of the Obey amendment. Supporting this amendment does not come easy for me. I am a member of the Budget Committee who voted against bringing down the firewalls separating domestic and defense spending earlier this year. I am also a member of the coalition in support of a balanced budget amendment the House considered just last month.

I strongly believe that we can and should be doing more to reduce our Federal deficit, and am working toward that goal with Chairman PANETTA and other members of the Budget Committee. Had there been some other manner in which to access the money in the highway trust fund for the purposes for which it was intended, I would have preferred it.

But the budgeting process is such that, in order to make use of the trust funds, it is necessary to raise the obligation ceiling in this amendment. And so, I support this effort to invest in our Nation's infrastructure, which lies at the heart of Federal responsibility for our Nation's well being.

The most important factor in my decision is that most of the programs in the Intermodal Surface Transportation Efficiency Act, now known as ISTEA, will pay for themselves. The funding program incorporated in the bill which we passed overwhelmingly last year was designed to draw down the highway trust fund from its surplus of over \$11 billion to about \$2.5 billion, the amount needed to keep the fund solvent. In addition, Congress extended the 2½ cent-per-gallon gas tax to keep revenues flowing into the fund, and to keep the program self-financing.

Mr. Chairman, it is for these reasons that I find the transportation appropriations bill before the House today so extremely disappointing and so much in need of amendment. Not only does it break faith with the 372 Members who voted for the conference report on ISTEA last November, but more importantly, it breaks faith with the American people who have been paying into the highway trust fund all of these years expecting that the money would actually be used to improve our nation's highways.

Last November, when Congress passed ISTEA, I was confident that we had finally taken the initiative on an ambitious program for our future, and our ability to sustain economic growth.

The Public Works and Transportation Committee and the Subcommittee on Surface Transportation spent over 2 years holding hearings and investigating the status of our country's infrastructure.

These hearings uncovered a pattern of deterioration and neglect of our infrastructure needs. We learned that investment in infrastructure has become the orphan child of the budgeting process, receiving proportionally less funding as our fiscal situation has become more severe.

Our annual Federal transportation investment has plunged from 2.3 percent of our gross national product in the 1960's and 1970's to four-tenths of 1 percent in the 1980's. This makes our investment in infrastructure a smaller percentage of GNP than any other industrialized nation in the world.

According to the Department of Transportation, in 1989: About 265,000 miles of pavement were at or below accepted engineering standards; about 134,000 bridges were rated as structurally deficient; over 5,000 bridges were closed; and congestion created over 8 billion hours of delay on the interstate system, adding billions of dollars to the cost of interstate commerce.

Passage of ISTEA was intended to address all of these concerns. For the first time, we embraced as a national goal the development of a national intermodal transportation system designed to move people and goods in an energy-efficient manner. ISTEA created an economic blueprint for the future, and was designed to substantially improve our competitiveness in the world economy.

In addition, the bill should create over 2 million jobs in the construction segment of our economy that serves as the foundation for our economic growth, and which has been hit the hardest by this period of recession.

Investing in infrastructure provides returns to our economy far greater than any other expenditure of Federal dollars. For every \$1 invested in transportation infrastructure, \$10 is returned to the economy. We would be hard pressed to find any other program that returns such benefits to our Nation.

The new Labor Department statistics show unemployment has now reached 7.8 percent. Almost 10 million of our fellow Americans are out of work. We should not fail to adequately fund the only bill passed by this Congress which has been endorsed by the administration that will create jobs—that is the ISTEA legislation passed last year.

Approving the Obey amendment will create good jobs for 125,000 Americans while providing the kind of infrastructure we need to be competitive around the world.

We must amend this bill to provide for an adequate level of funding for our public infrastructure. I urge my colleagues to support the Obey amendment.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in opposition to the Obey amendment, which would lower the fiscal year 1993 discretionary spending cap for international affairs by \$400 million in outlays and increase the 1993 domestic cap by that same amount.

The Obey amendment removes all fiscal flexibility in international affairs. This measure could require Senate-passed increases in military assistance to be accommodated in conference by cuts in population control programs, AIDS prevention, and child survival.

The Obey amendment categorically precludes any possibility of subsidy appropriations for immigrant absorption loan guarantees to Israel, if an agreement can be reached between the Israeli Government and the administration.

Let us bear in mind that if we are going to get into the business of breaching the firewalls, there are also \$7 billion in outlays behind the defense firewall, unusable in any way under the budget resolution.

I ask my colleagues, in considering your vote on the Obey amendment, is it your intention to erode and decimate the budget firewalls which you previously supported.

I submit that this is an inappropriate amendment.

Accordingly, I urge defeat of the Obey amendment.

□ 1830

Mr. OBEY. Mr. Chairman, I yield one-half minute to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Chairman, I rise in strong support of the Obey amendment.

Mr. Chairman, I cannot imagine our going home, and I voted for the foreign aid bill the other day and a lot of people did not, but I cannot imagine that we cannot vote to transfer money from surplus money really that is left over from the foreign aid bill to create American jobs. I cannot imagine that anybody would vote against this amendment.

I know in my own State of Ohio where we have tremendous needs in infrastructure repairs this is an essential amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Chairman, there is not a Member of this House who has not walked down the street in their district and had a constituent tell them that it is time to change priorities in America, not a person in this Chamber who has not looked in the eyes of people they represent and agreed that it is time to invest again in America.

This vote is about that commitment, and yet we are told that the 1990 budget agreement stands between us and keeping faith with those constituents.

My friends, the world between 1990 and today could not have changed more. The security commitments, the foreign commitments, the need to help others could not be more different.

This amendment comes just in time. A quarter of a million substandard bridges, hundreds of miles of deteriorating roads, urban and mass transportation systems that are older than the people who ride them by a generation, and it is only a token change, just a beginning of a change, but it is a change, the first of many amendments which must come.

We have done our duty in the foreign assistance bill for others. This amendment does duty for our own constituents.

I urge Members to adopt it.

Mr. COUGHLIN. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah [Mr. ORTON].

Mr. ORTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, today I rise in opposition to breaking down the firewalls and shifting budget savings from one appropriation category to make higher spending available in another category.

My friend and learned colleague from Wisconsin, Mr. OBEY, is correct in asking us to re-evaluate our spending priorities, and fund the most critical spending first. Our current spending levels in various categories reflect neither the changing world situation nor our domestic needs.

However, it is our budget process itself which is flawed. It is the process which leads to exaggerated overfunding in one category and disastrous underfunding in another.

Last month we attempted but failed to pass a balanced budget amendment. Those who opposed it said that we didn't need to amend the Constitution, that we could accomplish the necessary change by statute. Unless and until we do make substantive changes to the budget process which will ensure fiscal responsibility and a balanced budget, any transitory shifting of appropriations between segments of the budget will simply compound the problems.

Let us revise the budget process and incorporate changes such as: First, a unified capital budget, second, biennial, zero based budget, third, sunset laws, four, enhanced rescission process, and fifth, an enforcement mechanism, which will provide the tools necessary to balance the budget. Then I will stand at the front of the line to set new priorities for spending to meet the very real and immediate needs of our country.

I urge you to vote "no" on the Obey amendment, and to support real budget process reform.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of the Obey-Gephardt-Hammerschmidt-Roe amendment.

The issue we are debating here today is really rather simple. It is about jobs and economic growth and their relationship to the highway trust fund.

As my colleagues all know, last year we passed the Intermodal Surface Transportation Act, and when the House overwhelmingly voted in favor of that legislation, we all praised it as an investment in America.

The highway bill would create jobs, and it would make improvements in our infrastructure. Now is the time to fund that worthwhile new law, and we need to fund it and fund it well.

This year the House has already voted to cut over \$400 million in fiscal

1993 foreign aid outlays under the 1993 budget summit cap enacted into law, and moves them over into transportation spending authority. So it does not add to the deficit as some are here arguing.

The funding source for our transportation needs comes from the highway trust fund, and the taxpayers who pay those taxes want it spent for the purposes for which it is levied.

I urge a strong vote for the Obey-Gephardt amendment.

Mr. Chairman, the issue we are debating today is rather simple; it is about jobs and economic growth and their relationship to the highway trust fund. As my colleagues all know, last year we passed the Intermodal Surface Transportation Efficiency Act of 1991. When the House overwhelmingly voted in favor of this legislation, we all praised it as an investment in America. The highway bill would create jobs, and it would make vast improvements in our infrastructure and transportation needs. Now is the time to fund this worthwhile and desperately needed program which the American people strongly support.

Last week we passed an economic incentives bill to help get the Nation rolling—let's continue to build on the momentum by passing this amendment to this transportation appropriations bill. This amendment is a fiscally responsible approach concerning our Federal budget restraints and infrastructure necessities. This year, the House has already voted to cut over \$400 million in fiscal year 1993 foreign aid outlays under the 1993 budget summit cap enacted into law, and moves them over into transportation spending authority so it does not add to the deficit, as some are here arguing. The funding source for our transportation needs come from the highway trust fund and the taxpayers who pay into it want it spent for the purpose for which it is intended—highways—not used as a foil to mask the true size of the deficit. The trust fund is sound. It has a surplus.

Mr. Chairman, the battlecry on this legislation is loud and clear: Invest in America's future—our infrastructure. Invest in American jobs now, to get on with building that infrastructure that is our door to economic development and growth, to enhancing our trade opportunities.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. SARPALIUS].

Mr. SARPALIUS. Mr. Chairman, we have been hired by our constituents to be their voice. Well, listen to their voice. They do not like deficit spending. They do not like the priorities of where we spend our money.

They believe in the challenge that John F. Kennedy gave us when he said, "Ask not what your country can do for you, but ask what you can do for your country," and, boy, have they given. Over 5 months of their hard-earned paycheck every year comes to us to spend.

Today there are over 10 million persons out of work, 10 million persons that are worried about how they are going to pay their mortgage, 10 million

persons that are worried about providing health care for their children and putting their kids through school. There are 10 million Americans that are not living the American dream. They are living in a nightmare.

Today you have an opportunity to put some of these people back to work. Wake them up out of that nightmare and give them hope to dream dreams and make those dreams come true.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. LEVINE].

Mr. LEVINE of California. Mr. Chairman, although I voted to tear down the firewalls, I must oppose this amendment, because this is not the way to tear down the firewalls.

At a time when we are witnessing, as other speakers have mentioned, unprecedented changes in the world, this amendment would place a straitjacket on U.S. policymakers. It would eliminate the flexibility we may need to respond to events in Eastern Europe and the Middle East and Africa and elsewhere.

For example, this amendment would eliminate any flexibility that we might need to come to the aid of the Yugoslavian people. It would tie the hands of policymakers wishing to ease the transition to democracy and capitalism for the nations of the former Soviet Union, and it slams the door on further aid for international AIDS prevention and treatment programs.

Foreign aid is always a convenient whipping boy, no more so than it is today, but the purposes sought to be achieved here could be better achieved through other approaches.

This amendment does nothing to transfer billions of unneeded defense dollars. Instead, it targets spending which is most often used to ease the suffering of the poor, the hungry, and the sick abroad. While they may be an easy target, they are the wrong target.

While I have the greatest respect and admiration for my colleagues who are offering this amendment, I oppose it. There are other better ways to finance the rebuilding of our transportation system and create jobs here at home for Americans.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, we have a very serious credibility problem with regard to financing highways.

Now, I do not think there is a way to overcome it unless we pass the Obey amendment. First, we have an authorization bill. The President went to Texas, got a good photo opportunity, Members of Congress were down there. They talked about 2½ million jobs, that they could not be provided unless the firewalls were torn down or unless there was a raise in the cap. So it was a false expectation.

Next came the President's budget. He proposed \$2.2 billion increase for high-

ways. But what he did not tell you was that depended upon a \$550 million decrease for mass transportation and for Amtrak and an overall tax or user fee increase of \$4 billion, or the highway bill could not be funded. Also, sell the assets at Elk Hills. That was raising false expectations.

Then the budget resolution. It alleged to increase the funding for highways, but it assumed a \$4.14 billion, whatever you call legislative savings and fees, which cannot pass this Congress, so it raised expectations falsely.

The bottom line is the expectations to the American people have been raised one, two, three, four times. There is no way to get out of this unless we shift some money, I do not think, from one side of the international account over to the domestic account.

□ 1840

Since that budget agreement was passed 2 years ago, the world has changed. Priorities have changed. We have got 7.8 percent unemployment that we did not have at that time.

Surely in 2 years time with the changes we have had, we ought to look again at our priorities, shift some from that international side where we do not need as much anymore over to this domestic discretionary side and meet the expectations of the American people that have been built up both by the administration and the Congress.

Mr. Chairman, I urge a yes vote.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Chairman, I rise to urge support of the amendment offered today by Congressmen OBEY, GEPHARDT, ROE, HAMMERSCHMIDT, MINETA, and SHUSTER which will increase funding for highway, transit, airports, and Coast Guard programs by \$2.6 billion nationally. These are responsible amendments which appropriately transfer over \$400 million from foreign aid outlays to vital domestic infrastructure programs. These programs will create more than 125,000 jobs for Americans.

Mr. Chairman, the latest unemployment figures are a warning to begin to shift national priorities from unnecessary or lower priority expenditures abroad and toward clear, essential, and long neglected investment in Americans and their towns and cities. This is, after all, the longest recession since World War II.

This amendment provides the double dose of medicine the doctor has ordered—targeted development of infrastructure whose existing condition poses a clear and present danger to our place in the global marketplace; and the measured economic stimulus that is a proven remedy for unemployment.

Each additional billion dollars spent on new construction of bridges, roads,

sewers, information networks, and technologies creates 46,800 jobs in the construction, supplier, and service industries. Not only do contractors, subcontractors, and suppliers benefit but countless services are similarly benefited.

Of the 17,000 unemployed workers in the District of Columbia at the end of 1990, nearly 2,000—11.8 percent of our work force—were in construction. I am sure that after the latest unemployment figures, every Member could point to similar devastation.

As a member of the Public Works and Transportation Committee, I joined my colleagues to support unanimously the bipartisan Intermodal Surface Transportation Efficiency Act because we were strongly committed to bringing jobs and new infrastructure to the American people. If this appropriations bill is funded at the proposed level, we will have actually reduced highway and transit funding below that of prior years. Our crippled economy cannot afford such disinvestment.

I support this vital amendment for investment and jobs in America, and urge my colleagues to support it as well.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, when the House Democratic leadership pulled out all the stops to defeat the balanced budget amendment June 11, they argued that the amendment was an unnecessary gimmick because Congress already has the authority it needs to balance the budget—authority defined by statutory guidelines and fiscal discipline.

Applying that standard today—the 1990 budget agreement is the statutory guideline and a vote for the Michel amendment is the fiscal discipline. Failure to observe either of these principles—which some would have us do today in voting for the Obey amendment—is fiscal irresponsibility, pure and simple.

If we vote for the Obey amendment, we junk the caps on spending in the budget agreement. That is the only restraint on spending we have. In essence—we bust the budget and prove once again to the American public that we are incapable of exerting fiscal responsibility.

How many times do we need to hear that our deficit stands at \$350 billion, that our national debt is close to \$4 trillion, that interest payments on the national debt now consume nearly \$200 billion. These are lost dollars—gone to pay for our past spending habits, not new roads and bridges.

The plain and simple fact is that we are operating under a law that says savings in one account cannot be transferred to another. They are to be applied to deficit reduction. Period. We must not do what the Obey amendment

wants. We must not break the firewalls to transfer dollars—dollars that should be used for deficit reduction—for new spending. The Obey amendment would turn this law on its head. It would put us on a slippery slope toward increased deficits and higher taxes.

The debate today is not about the merits of foreign aid spending, that just happens to be the source Obey taps into. Rather, the debate is about the integrity of a law that maintains budget firewalls to allow defense or international affairs savings to be used for deficit reduction—not new spending.

Less than a month ago, nearly every Member of this House spoke out against deficit spending. Yet the Obey amendment at its core is simply a proposal to increase the fiscal year 1993 deficit, something completely contradictory to these earlier proclamations. It is no wonder the American people hold Congress in such disregard and that our deficit continues to soar.

It should be clear to Members who support deficit reduction which amendment to support. Let us put leadership behind our rhetoric and vote for fiscal discipline for a change. I urge my colleagues to oppose the Obey amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Chairman, I thank the distinguished gentleman for yielding me some time.

Mr. Chairman, I rise in strong support of the amendment by the distinguished gentleman from Wisconsin [Mr. OBEY], and my chairman, the gentleman from New Jersey [Mr. ROE], my ranking Republican member, the gentleman from Arkansas [Mr. HAMMERSCHMIDT], and the majority leader, the gentleman from Missouri [Mr. GEPHARDT].

As has been stated earlier, ISTEA is a jobs bill and I believe the result of what the Appropriations Committee has done in drastically slashing the authorized funding levels in ISTEA is to keep a significant number of American workers on the unemployment rolls.

I have been and continue to be opposed to breaching the firewalls, but by adjusting the ceiling levels of international and domestic spending, we will be able to stimulate the American economy, put Americans back to work, rebuild America's crumbling transportation infrastructure—making our highways and bridges safer—and, ultimately, improve and enhance our Nation's ability to move commercial goods and commuter traffic with greater efficiency.

If these are not reasonable and rational justifications for this Body to make this small adjustment to the budget firewalls, then we do not deserve the respect and support of the American people.

A yea vote for this amendment is a vote for the American worker and the American economy.

A no vote is a vote for continuation of our stagnant economy, a continuation of high unemployment, and a continuation of the Band-aid repairs to our transportation infrastructure, daily becoming less safe and in an increasing sad state of disrepair.

Mr. Chairman, I urge my colleagues to vote for the Obey-Roe-Gephardt-Hammerschmidt amendment.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Chairman, I support the Obey amendment.

I voted against breaking down the firewalls in an earlier vote, but I think times have changed since then. This is a critical jobs issue. The unemployment rate nationally is 7.8 percent. I fear it can go up another half percent before November. A yes vote will put thousands of people to work with monies saved from foreign aid spending.

I still believe the budget agreement is good, but it should not be locked in stone when tens of thousands of Americans are finding themselves out of work every day.

So Mr. Chairman, I think a responsible vote is a vote for the amendment.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Chairman, priorities are heck sometimes in choosing them. The President just came back with much flare from G-7. It is time he drives Route 7 and sees the potholes, sees the orange barrels, sees the traffic snarls.

The priorities are very clear here. Without increasing the deficit, you shift some money from foreign aid to the United States of America. You shift some money from overseas to here at home.

I think our constituents know what they want. Ten million Americans are out of work. Roads and bridges are crumbling. Traffic is snarled hopelessly. They want the Obey amendment, and I urge its adoption.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Obey-Gephardt amendment. The Obey-Gephardt amendment would in my opinion flagrantly violate the Budget Enforcement Act of 1990 by changing the spending caps inscribed in that law and by burning down the firewalls between the domestic and international discretionary categories. These firewalls were erected to achieve a deficit reduction. Savings under the caps in any one category is under the terms of the laws supposed to be supplied to deficit reduction. Instead, the Obey amendment would pirate away the money remaining in the inter-

national account to increase spending in the other categories.

The Obey amendment in my viewpoint raises the limitation on obligations of the highway trust fund by \$2.3 billion. This translates into a \$400 million increase in outlays by fiscal year 1993, and will require subsequent increased outlays in the future.

Worse, the Obey amendment authorizes a \$400 million raid on the general fund? Why? Because apparently there are not enough transportation fund taxes, I gather, to support the desired spending for fiscal year 1993 in the transportation fund.

□ 1850

So what do we do? We do what we always do, we borrow from the general fund. More accurately, we borrow from our children and grandchildren. In light of the fact that the Federal Government is now paying \$300 billion a year just to pay interest on the \$4 trillion national debt, this ought to be absolutely unacceptable.

The amendment is a fraudulent scheme Congress is pulling on the American taxpayers. Congress promised in 1990 that in exchange for \$164 billion in higher taxes, Congress would restrain its appetite for higher spending. The caps are that promised restraint. The Obey amendment conspires to break that promise.

If this conspiracy to circumvent the law was being perpetrated in the private sector, it would be deemed a criminal conspiracy. But because we in Congress make the laws, we do not have to conspire to avoid them, we simply conspire to eliminate them and then continue to conspire to avoid our clear moral obligation.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. SHUSTER], a member of the Committee on Public Works and Transportation.

Mr. SHUSTER. Mr. Chairman, in 1990 a majority of the Congress and the White House entered into a deal, a budget deal. And now we are told, 2½ years later, a deal is a deal.

Well, Mr. Chairman, in 1991, a year after that 1990 deal, this Congress overwhelmingly entered into another deal with the American people. This Congress overwhelmingly voted in favor of the transportation bill. And we said on a bipartisan basis, "We are going to extend the gas tax. Not only are we going to extend it, we are going to increase it by 2½ cents. But our deal with you, Mr. and Mrs. America, is that we promise that this money in the highway trust fund that you are paying as a user fee is going to be spent on transportation." And we also said overwhelmingly as we voted for that bill, we promised that \$18.3 billion is going to be spent next year out of the highway trust fund "for your transportation needs."

And now, what do we have before us? Instead of the \$18.3 billion that we promised, we have only \$14 billion; so we have a 22-percent reduction in our promise. Indeed, this means significant cuts in highway programs.

Mr. Chairman, do not come to our committee and ask for help with your problems; if the money is not there, we may want to help you but we cannot.

Further, I suggest check what we put out in terms of the money that goes back to your States by formula if this passes. Every State will receive several millions of dollars more for their highway programs. And, yes, we will create in America over 125,000 real jobs.

So let us keep faith with the American people, let us deliver on our promise to spend trust fund dollars. Let us take general fund money from foreign aid and begin to spend an equivalent amount of trust fund money rebuilding America.

Mr. COUGHLIN. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, the Obey amendment to the transportation appropriations bill is yet another example of chicanery to get around our own self-imposed limits on spending in the deficit. All of us—all of us—would like to spend more money on our transportation infrastructure as well as many other well-meaning programs. But we have a problem: The deficit is eating our lunch.

In clear violation of the 1990 budget agreement—the law we passed to help control deficit spending—the Obey amendment would transfer \$400 million in foreign aid outlays to transportation projects. This contravenes the law, which says that any savings in the foreign aid category will be applied to reducing the deficit, not other spending programs.

In addition, the \$400 million outlays transferred by the Obey amendment will result in some \$2.6 billion in increased budget authority and obligation authority, further exacerbating the deficit in future years.

Regardless of the worthiness of the spending programs, we should not scrap the firewalls. I cannot understand how anyone can say, how any Member of this body can say they give a hoot about the deficit if they vote for the Obey amendment. If we have one ounce of courage to resist the siren call for more spending, if we have one shred of shame over the deficit we are leaving for our children, if we have one iota of honor for the agreements we have made, we should defeat the Obey amendment and pass the bill as it is.

Mr. Chairman, I urge defeat of the Obey amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Committee on Public Works and Transportation, the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Chairman, the night is late, and I want to just run down, in

the 2 minutes, quickly two points. Bed-rock principle, a deal is a deal, honor and commitment, test of will, American people disillusioned, conspiracy and chicanery.

God, you are bad people around here. We are engaged in conspiracy and chicanery. By God, BUD SHUSTER is right: We made the deal on this floor and passed the iced tea, the transportation bill, with 378 votes. We did not break one rule.

We went and we expanded and extended the 2½ percent gasoline tax. We provided, under the budget agreement with the White House, precisely what we were supposed to do. We raised the money to support the transportation bill. That is what you did.

Now, the thing that happened, however, that 5.5 billion dollars' worth of budget authority was taken away from the transportation program in the budget agreement. So, we are not putting new money into transportation, we are simply transferring part of that fund back to transportation, which was the true deal with the American people. We taxed them for that purpose.

Now we say can we afford to spend this? It is costing us, not by our figures, but by the White House figures and the Department of Transportation, \$34 billion annually is lost in the metropolitan areas alone because of traffic congestion problems.

Would it not be right to try to correct them?

Just last week we voted \$7.6 billion more for unemployment compensation just to keep people off the breadline. Would it not be more sense to invest in jobs for the people of America?

That is what this debate is about. So we are not breaking faith, we are not breaking down walls; we are simply taking the tax money that the people were charged for transportation purposes, that they are paying moment by moment on their gasoline, and we are doing the construction program we promised on this floor to do.

So I would hope that the Members would set the nonsense aside and vote, this time, for the American people.

If there was ever a point, by God, it is time that we said to the people overseas, "Pay some of your own damn bills and let us spend our tax dollars with our own people."

That is what the issue is before us today.

Mr. Chairman, I am proud to join with the bipartisan sponsors of the Gephardt-Obey-Roe-Hammerschmidt-Mineta-Shuster amendment to restore the vital and essential transportation funding that is being diverted to other purposes.

I express my compliments to the majority leader, Mr. GEPHARDT; the gentleman from Wisconsin [Mr. OBEY], a member of the committee; our ranking Republican member, JOHN PAUL HAMMERSCHMIDT; the chairman of our Surface Transportation Subcommittee, NORMAN MINETA, and the subcommittee's ranking

Republican member, BUD SHUSTER, for their outstanding efforts on this amendment.

Just 7 months ago, an overwhelming majority of this House, 372 Members, supported the Intermodal Surface Transportation Efficiency Act, a \$151 billion 6-year bill that will create millions of jobs throughout the Nation.

The rallying cry, from the President's signing ceremony in Dallas to Member after Member on the floor, was, "Jobs, jobs, jobs."

We labored for months to increase investment in our transportation system. The committee proposed the nickel for America. It didn't fly. Instead, we extended the existing taxes and modified our proposal. We played by the rules and received an overwhelming, bipartisan endorsement in both the House and Senate.

Now, we find that \$5.2 billion is being cut from our bill. Our budget authority, the authority to spend money collected from American taxpayers and placed in a trust fund for that purpose, has been sent to other programs. We want that budget authority returned to transportation, so that the trust fund money can be spent to create American jobs, not sent overseas.

This amendment, by restoring \$2.5 billion in budget authority from foreign aid to transportation, will create almost 125,000 real productive jobs in this country. We have talked about meager tax breaks but they mean nothing to people who don't have jobs. Let's produce jobs for the American people.

Last month's unemployment figures were absolutely devastating. A national unemployment rate of 7.8 percent; California, 9.5 percent; New Jersey, 9.2 percent; New York, 9.2 percent; Massachusetts, 8.8 percent; Michigan, 8.8 percent; Illinois, 8.6 percent; Texas, 8.2 percent.

The only bill we have before us to help create jobs, to help lower those unacceptably high unemployment rates, is the surface transportation bill.

This amendment will provide full funding for the fiscal year 1993 transit new start projects, and it will pump an additional \$2.25 billion into the highway program.

We are not breaking any agreements. We are simply restoring in a partial way the funding that Congress voted for the Intermodal Surface Transportation Efficiency Act. As our unemployment rate continues to soar, we cannot afford not to approve this amendment. This is highway trust fund money that is dedicated to transportation. I urge all Members to support the Gephardt-Obey-Roe-Hammerschmidt-Mineta-Shuster amendment.

The Gephardt-Obey-Roe-Hammerschmidt-Mineta-Shuster amendment to H.R. 5518 restores \$257 million of spending authority to the Federal Transit Act section 3 new start program to fully fund all projects designated in the Intermodal Surface Transportation Efficiency Act of 1991—Public Law 102-240—for fiscal year 1993 funding.

The \$257 million is the exact amount necessary to provide full funding for the 21 projects specifically designated in sections 3030 through 3035 of ISTEA for fiscal year 1993 funding that did not receive full funding in H.R. 5518 as reported by the Committee on Appropriations.

ISTEA requires that these projects receive the full amount designated. The restoration of the \$257 million will fulfill that requirement.

These projects differ from other projects authorized in sections 3030 through 3035 of ISTEA that do not have specific year-by-year funding designations. The conferees on the Intermodal Surface Transportation Efficiency Act of 1991 intended that only those projects without specific year-by-year funding designations be subject to annual funding decisions by the Committee on Appropriations.

The Public Works and Transportation Committee has been empowered to provide contract authority for the Federal-aid Highway Program and the Federal Transit Program by the Federal Highway Act of 1958, Title 23, United States Code, the Federal Transit Act, and by congressional budget scorekeeping rules and practices originating in 1979.

A complete list of the 21 transit projects to be funded by the \$257 million follows:

Additional funds for new start projects provided in Obey amendment

	Mil- lions
Baltimore LRT extension project	\$5
Chicago central area connector project	30
Cleveland dual hub corridor project	5
Maryland commuter rail project	50
New Jersey urban core project	36.7
New York Queens connection project	8.7
San Diego mid-coast extension project	3
San Francisco Airport BART extension project and Tasman Corridor LRT project	55
Detroit light rail project	10
Kansas City light rail project	4.4
Chattanooga downtown trolley project	1
Suspended light rail system technology pilot project	4
Hawthorne, New Jersey-Warwick Commuter Rail Service	11.156
North Bay Ferry Service Demonstration Program	9
Staten Island-Midtown Manhattan Demonstration Program	11
Lakewood-Freehold-Matawan or Jamesburg rail project	3
Charlotte, North Carolina, light rail study375
Northeast Ohio feasibility study8
Dallas/Ft. Worth Railtrans System ...	3.2
Largo, Maryland, rail extension project	5
Los Angeles-San Diego rail corridor improvement project	5
Total	256.831

Mr. OBEY. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, the fact is that America is losing its investment race with out global competitors. By the end of the eighties Japan and Germany were investing 12 times as much as a percentage of their economy as we are in bridges, sewers, information networks, and technology. That cannot continue if we are going to continue to be an economic leader in this world. We are simply taking money which we have already saved in foreign aid and using it to try to do something about that problem.

Reference has been made to the budget summit. I voted for the budget sum-

mit. But I did not realize that voting for the budget summit required us to stop hearing, stop seeing, and stop thinking. We ought to see what is going on around us. This economy has collapsed. This country needs both jobs and deficit reduction. This amendment gives us both.

We ought to vote for it.

□ 1900

The CHAIRMAN. The Chair will advise that the gentleman from Pennsylvania [Mr. COUGHLIN] has 5 minutes remaining, the gentleman from Wisconsin [Mr. OBEY] has 4½ minutes remaining, and the gentleman from Wisconsin will conclude debate.

Does the gentleman from Pennsylvania seek recognition at this time?

Mr. COUGHLIN. Mr. Chairman, I yield such time as he may consume to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Wisconsin [Mr. OBEY] and in strong support of deficit reduction.

Mr. COUGHLIN. Mr. Chairman, I yield the balance of the time on our side to the very distinguished Republican leader, the gentleman from Illinois [Mr. MICHEL], the author of the amendment that was previously passed by this House.

Mr. MICHEL. Mr. Chairman, obviously I rise in opposition to the amendment offered by my friends: the distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT], and the gentleman from Wisconsin [Mr. OBEY].

Mr. Chairman, in spite of all the good reasons that have been advanced by Members on both sides of the aisle, I think there is good reason for opposing this particular amendment. I want to give my colleagues my reason for voting against it. I have to go back to that voting tally on the last vote in support of my amendment.

Mr. Chairman, I was happy to have 108 Democrat Members on that side of the aisle come to join and vote in support of my amendment. I say to them, "I love you. You're not always with me, but I really love you today."

Now let me tell my colleagues on that side of the aisle that, when we craft some of these rules under the king-of-the-hill procedure, we know what is going to happen: "Schedule MICHEL first, you know, and, fine, adopt it. Give the majority leader the second bite of the apple, and he prevails. I get swept off the board. Great day!"

Well, Mr. Chairman, let me say to my colleagues, "If you're going to do that, tell you what I'm going to do: I'll come back in a motion to recommit. I'm going to offer the same amendment that you adopted by this overwhelming vote on 268 to 143."

Now, Mr. Chairman, those of my colleagues on the Democrat side, particu-

larly those who supported me the first time, do not want to turn around within 1 hour and vote on the other side of the equation. Mr. Chairman, I ask them, "How can you do that in good conscience?" Of course they cannot do that.

Mr. Chairman, their easiest vote would save them some time tonight. I say to them, "You don't have to go through that vote on the motion to recommit. Simply vote against Gephardt-Obey, and you have got it made. Then we'll be finished with business, and we will have done what the majority wanted in the first place by supporting my amendment."

That is my simple request tonight as we wrap up the debate on our side of the aisle. There have been pretty good arguments for the Obey amendment, but I say to my colleagues, "You want to be consistent. It's a campaign year. I wouldn't ever raise the specter that it may be turned around on you in any way."

"Just do the right thing. Do what you did before. Support that unanimous vote on the Republican side. On our side it probably won't be unanimous on this amendment because there will be some defections."

Mr. Chairman, that is the way this body ought to operate. It does not have to be a straight party-line vote on any of these measures.

I say to my colleagues, "Let your conscience be your guide once in a while around here. Just do the right thing."

My friend, the gentleman from Kentucky [Mr. NATCHER] is looking very serious here, and how much we respect the distinguished gentleman for his having served on the Appropriations Committee for so long. I am reminded that the gentleman was making the point of the commitment we made on the authorization bill. My gosh, over the period of years how many times have we authorized at this level, and then finally come to our senses and say we authorized too much. It was a good thing to vote for a high authorization level, but let's appropriate only that amount which we think we ought to appropriate—a lower level? Having served on that committee for 20 years, we did that time and time again.

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I say to the gentleman, "Just a minute, my dear friend."

I voted for the tax increase. I am for the highway bill. I gave all the support I possibly could. There is always that reservation to come back the second time in the appropriation process and say, "Well, maybe given the times that we're confronted with, maybe we'll spend just a little bit less so it can be spent a little more wisely."

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman from Illinois [Mr. MICHEL], my good friend, and I would point out that the reason many of us voted for his amendment was because, in the event that Obey failed, then we wanted to have his amendment in place, and that is the reason.

Mr. MICHEL. I understand that.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. MICHEL] has expired.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I yield the balance of my time to the distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Mr. Chairman, members of the committee, I would like to start tonight with a little history. We have had some revisionism tonight, and I would like to set the history straight.

We had a vote a couple of years ago on a budget summit, and I voted for the budget summit, I voted for the second iteration of the budget summit, because I believe we needed to make those changes, and in that summit we set walls, but no one ever said the walls were inviolate, that they can never be changed. We obviously have a Congress here that can deal with changed facts and circumstances, if the President agrees to that change.

We had a vote on a budget this year. It set certain ceilings, and then we just had a vote on the walls, the so-called walls vote, and the decision of the Congress at that time was to use the budget scenario that kept the walls in place. So, in other words, if any money was saved in a year, it could be used for deficit reduction, and we have saved money, \$7 billion in defense, over a billion dollars in foreign affairs, and to date we have saved \$675 million in domestic programs.

Tonight we have a chance to readdress the question: Do we want to keep all of those decisions inviolate, or has there been a change in circumstances so that we can deal with the recession that is in front of us, a recession that has gone on for over 2 years, a recession that now finds over 10 million Americans out of work, wanting work, not able to find work?

And now we are told that, even if we saved much more money in foreign affairs and foreign aid than the President wanted us to spend, that it is impossible for the Congress in its wisdom tonight to change the wall by that much, \$400 million, to now spend it to get the highway money up to the level the President asked us to spend on highways.

I say to my colleagues, "If you think about that history, and you think about the 10 million people that are out of work in the longest recession since the Great Depression, I think you can easily come to the conclusion that

the sensible, wise course for the American people tonight is to take this \$400 million out of foreign aid that we have already saved and assign it to getting highways where they need to be and mass transit where it needs to be."

Now people have said to me, "Well, what if we assign this money to that? What if an emergency comes up in foreign aid?" Well, obviously we can deal with that, and we will. If the President comes and says there is an emergency here or there, loan guarantees, something happens with refugees, we need to do something, obviously we will figure out a way to do it.

But let us not shackle ourselves by walls that were put up 2 years ago, by decisions we made 2 months ago, if now we have saved more money than we thought we were going to save. Surely we have the capacity to take this money and spend it on a great need.

Let me end with how great this need is. This year the United States of America will spend \$60 billion on highways, and the country of Japan will spend \$72 billion, a country with half our population, a country the size of Montana. They will spend more money than we will on highways. Is it any wonder that they are beating us in the world marketplace? They understand how to make an economy work. They have made a commitment to rebuilding their infrastructure, and we need to make that commitment tonight.

Mr. Chairman, I urge Members to vote for this very good and sensible amendment for the people in their districts.

Mr. SOLOMON. Mr. Chairman, I rise in opposition to the Obey amendment. I think the overwhelming vote in support of the Michel amendment is a clear repudiation by this House of what the Obey amendment is trying to do which is to breach the firewalls and increase the deficit.

The Michel amendment reiterates the terms of the 1990 budget agreement that any savings from any of the three discretionary categories shall be devoted exclusively to deficit reduction. The House has just reaffirmed that position by a substantial majority vote.

When we were presented with these two amendments in the Rules Committee, it was made clear by Mr. MICHEL that his amendment was being offered as an alternative to the Obey amendment. And he made clear that if the Rules Committee did not make the Obey amendment in order, he did not wish to offer his amendment.

The Rules Committee recognized that these were being offered as alternatives, and, in order to give the House a chance to vote on both, structured this king-of-the-hill procedure.

This is an either/or proposition, not a perfecting or complementary situation.

Anyone who thinks they can vote for both amendments in clear conscience, and get away with it, is ignoring the realities of both the procedural and substantive situation. You can't claim you are in favor of reducing the deficit and then turn around on the same bill and increase it. That just won't wash.

Mr. Speaker, the American people are already disillusioned and cynical enough about this institution without us having to further contribute to that mood by voting on both sides of the same issue. The House has spoken with a clear tongue by its vote on the Michel amendment. Let's not turn it into a forked tongue by adopting the Obey amendment.

Mr. LIGHTFOOT. Mr. Chairman, I rise in opposition to the Obey amendment.

Today, we have heard that we should be faithful to the commitment we made in last year's highway bill. I would remind Members, particularly Members on my side of the aisle that we have a higher commitment, to the long term economic health of our Nation.

I did not vote the budget agreement of 1990 because I knew this day would come. We raised taxes and are about to avoid yet another opportunity to control the deficit.

I am proud to be a member of the Appropriations Committee. Mr. LEHMAN of Florida has presented this House with a responsible bill. Sure there's not enough money in it, but that's the consequence of years of reckless spending. His subcommittee made tough choices, just as other appropriation subcommittees have presented the House with equally tough spending bills.

Now we have the Obey amendment. This amendment says we shouldn't put money toward reducing the balance on the Nation's visa card because the other body may spend these funds for unnecessary foreign aid.

Since when has this House ever been afraid of the other body? And frankly, it doesn't say much for the negotiating skills of the Foreign Operations appropriations subcommittee. If members of that subcommittee really don't believe we should spend more on foreign aid, I am confident they could carry the day in conference.

Heaven forbid, Mr. Chairman, this House make an early payment or two on the deficit.

My friends, make no mistake about it: voting for the Obey amendment sends the wrong message. It means Congress can't resist temptation and says to the American people, "Look—the pigs are at the trough again."

Mr. JONES of North Carolina. Mr. Chairman, I rise to support additional funding for the Coast Guard. During my tenure in Congress, the role of the Coast Guard has changed dramatically. Twenty-five years ago, the Coast Guard was primarily responsible for vessel inspections, lifesaving, and the maintenance of aids to navigation. Since then, the Coast Guard has been given an expanded role in drug and migrant interdiction, oil spill cleanup, and boating safety. Unfortunately, funding has not kept pace with these new duties.

This year, the gap between funding and missions is particularly serious. The funds appropriated by H.R. 5518 will not permit the Coast Guard to do its job. It will force the Coast Guard to close stations, decommission ships, and ground aircraft. It will cause lost lives, a surge in illegal drugs, and a rise in damage from oil spills.

You will hear many figures today. I ask you to remember one—\$132 million. H.R. 5518 provides the Coast Guard with \$132 million less than the President requested—\$132 million less than the House authorized just 2 weeks ago.

Simply put, H.R. 5518 does not provide sufficient funds for the Coast Guard.

I strongly urge my colleagues to support the Obey amendment which will provide \$38 million more for the Coast Guard and mitigate some of the damage to the Coast Guard that we currently envision. Even if the Obey amendment is approved, the Coast Guard will be hamstrung; without the Obey amendment, the Coast Guard will be severely crippled.

Mr. BORSKI. Mr. Chairman, I rise in strong support of the Obey-Gephardt-Roe amendment to H.R. 5518.

This amendment would add \$2.25 billion to our major highway program, \$257 million for mass transit discretionary grants, \$38 million for Coast Guard operations, and \$50 million for airport improvements for fiscal year 1993.

That money would go for what is needed right now as our country struggles to recover from the current recession. It would create 125,000 jobs at a time when many Americans are desperate.

Those jobs would come in the best possible way: investing in our Nation's infrastructure and enabling us to literally rebuild America.

Mr. Chairman, America is in the grips of our worst recession since World War II. Unemployment is at its highest rate since 1984. These are not statistics America can brag about, these are numbers that must prompt us into action if our country is to regain its dominant position in the international business community.

The one sure cure for an ailing economy is the creation of more jobs and the opportunity to create those jobs is right within our grasp.

Over 125,000 Americans could be put to work by passing this amendment and the best news of all is that the money used to create those jobs would come from foreign aid cuts which have already been approved by the House.

Mr. Chairman, the cold war is over but the battle for economic stability rages on in streets all across our Nation. It is time to take money from foreign operations and pump those funds into America's lifeline: its infrastructure. Our global competitors are winning the race in infrastructure investment. Japan and Germany are investing 12 times more than America to redevelop their roads, bridges, and sewers. We cannot allow this to happen if America is to have the best transportation system in the world.

My only disappointment is in the area of mass transit spending. This amendment would invest \$257 million of the \$2.5 billion to mass transit. As a major supporter of investment in mass transportation, I would have preferred a more generous split in terms of highways and transit. I am also disappointed that all of the transit funding goes to new starts.

In the appropriations bill before us, new start funding increased from \$536 million in fiscal year 1992 to \$640 million in fiscal year 1993. At the same time, the section 9 formula program used for operating assistance and capital expenditures is being cut from \$1.9 billion in fiscal year 1992 to \$1.7 billion in fiscal year 1993, including a reduction in operating assistance from \$802 million to \$720 million.

As a representative of Philadelphia, I am concerned about the lack of mass transit funding in this amendment for older cities with

older transit systems in need of refurbishing. I am concerned that more money will not be devoted to improving those older transit systems.

Our needs in Philadelphia are for operating assistance, capital expenditures, and rail modernization.

Operating assistance is imperative to older systems like the Southeastern Pennsylvania Transportation Authority System [SEPTA] in Philadelphia. I am hopeful that, in conference, we can find the additional money for operating assistance which is vital in order to keep older transit systems running in safe condition.

While I am disappointed this amendment doesn't live up to the commitment for transit that was outlined in the Intermodal Surface Transportation Efficiency Act [ISTEA], I still support this amendment. It is an important first step toward removing the firewalls for transportation overall in this country and I urge its passage.

It is time to put America's future first and this amendment will pave the way for an investment that is not only wanted, but desperately needed.

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Mr. PAYNE of New Jersey. Mr. Chairman, I rise in strong support of the Obey-Gephardt-Roe amendment. In the wake of our sagging national economy, disappointing unemployment figures, and crisis conditions in our cities, the need to reorder our budget priorities is obvious.

This bill will not only create 125,000 jobs, it will also provide important improvements to our transportation system and infrastructure.

In my district, an urban area of New Jersey, more funding would be available to make improvements so that working people could have

easier access to public transportation. Allocation of the funding would be a sound economic investment which would spur growth and help modernize our State's largest city.

I want to commend all of the authors of this amendment, in particular my good friend and colleague, Chairman ROE. It was through his tireless work that the Intermodal Surface Transportation Efficiency Act was approved last fall.

I hope that my colleagues will support the effort by Chairman ROE and the other authors of the amendment so that our efforts to improve our Nation's transportation system, and our national economy, can move forward.

The CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. COUGHLIN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 213, noes 190, not voting 31, as follows:

[Roll No. 282]

AYES—213

Abercrombie	Emerson	Long
Alexander	Engel	Lowey (NY)
Anderson	English	Manton
Andrews (ME)	Espy	Markey
Andrews (NJ)	Evans	Martinez
Annunzio	Fascell	Matsui
Applegate	Fazio	Mavroules
Aspin	Feighan	Mazzoli
Atkins	Flake	McCloskey
AuCoin	Foglietta	McDermott
Bacchus	Ford (MI)	McNulty
Bennett	Ford (TN)	Mfume
Bentley	Frost	Miller (CA)
Bevill	Geddeson	Mineta
Bilbray	Gephardt	Mink
Blackwell	Gibbons	Moakley
Boehlert	Glickman	Molinari
Bonior	Gonzalez	Mollohan
Borski	Gordon	Moody
Boucher	Guarini	Moran
Brewster	Gunderson	Morrison
Brooks	Hall (OH)	Mrazek
Brown	Hall (TX)	Murphy
Bruce	Hamilton	Murtha
Bustamante	Hammerschmidt	Nagle
Cardin	Hayes (IL)	Natcher
Carr	Hertel	Neal (MA)
Chapman	Hoagland	Neal (NC)
Clay	Hochbrueckner	Nowak
Clement	Horn	Oakar
Clinger	Hoyer	Oberstar
Coleman (MO)	Hughes	Obey
Coleman (TX)	Jefferson	Oliver
Collins (IL)	Jenkins	Ortiz
Collins (MI)	Johnson (SD)	Pallone
Conyers	Johnston	Parker
Costello	Jones (GA)	Pastor
Cox (IL)	Jones (NC)	Payne (NJ)
Coyne	Jontz	Payne (VA)
Cramer	Kanjorski	Pease
Darden	Kaptur	Pelosi
de la Garza	Kennedy	Perkins
DeFazio	Kennelly	Peterson (FL)
DeLauro	Kildee	Peterson (MN)
Dellums	Kiecza	Petri
Derrick	Kolter	Poshard
Dickinson	Kopetski	Price
Dingell	Kostmayer	Quillen
Dixon	LaFalce	Rahall
Donnelly	Laughlin	Rangel
Downey	Lehman (CA)	Reed
Durbin	Lehman (FL)	Richardson
Dwyer	Levin (MI)	Rinaldo
Dymally	Lewis (GA)	Roe
Eckart	Lipinski	Rose
Edwards (CA)	Lloyd	Rostenkowski

Roth
Roybal
Russo
Sabo
Sanders
Santorum
Sarpalitus
Savage
Sawyer
Schroeder
Serrano
Sharp
Shuster
Sikorski
Skaggs

Skelton
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Staggers
Stokes
Studds
Swett
Swift
Synar
Tallon
Thornton
Torres
Torricelli

Trafficant
Unsoeld
Valentine
Vento
Volkmmer
Washington
Waters
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates

NOES—190

Allard	Hancock	Penny
Allen	Hansen	Pickett
Andrews (TX)	Harris	Pickle
Anthony	Hastert	Porter
Armey	Hefley	Ramstad
Ballenger	Henry	Ravenel
Barrett	Herger	Regula
Barton	Hobson	Rhodes
Bateman	Holloway	Ridge
Beilenson	Hopkins	Riggs
Bereuter	Horton	Ritter
Berman	Houghton	Roberts
Bilirakis	Hunter	Roemer
Bliley	Hutto	Rogers
Boehner	Inhofe	Rohrabacher
Broomfield	Ireland	Ros-Lehtinen
Browder	Jacobs	Rowland
Bunning	James	Santorum
Burton	Johnson (CT)	Saxton
Byron	Kasich	Schaefer
Callahan	Klug	Scheuer
Camp	Kolbe	Schiff
Campbell (CA)	Kyl	Schumer
Carper	Lagomarsino	Sensenbrenner
Chandler	Lancaster	Shaw
Coble	Lantos	Shays
Combest	LaRocco	Sisk
Condit	Leach	Skeen
Cooper	Levine (CA)	Slattery
Coughlin	Lewis (FL)	Smith (OR)
Cox (CA)	Lightfoot	Smith (TX)
Crane	Livingston	Snowe
Cunningham	Lukens	Solomon
Dannemeyer	Machley	Spence
Davis	Martin	Spratt
DeLay	McCandless	Stallings
Dicks	McCollum	Stearns
Dooley	McCrery	Stenholm
Doolittle	McCurdy	Stump
Dorgan (ND)	McDade	Sundquist
Dornan (CA)	McEwen	Tanner
Dreier	McGrath	Taurin
Duncan	McHugh	Taylor (MS)
Edwards (OK)	McMillan (NC)	Taylor (NC)
Erdreich	McMillen (MD)	Thomas (CA)
Ewing	Meyers	Thomas (GA)
Fawell	Michel	Thomas (WY)
Fields	Miller (OH)	Upton
Fish	Miller (WA)	Vander Jagt
Frank (MA)	Montgomery	Visclosky
Franks (CT)	Moorhead	Vucanovich
Galleghy	Morella	Walker
Gallo	Myers	Walsh
Gekas	Nichols	Waxman
Geren	Nussle	Weber
Gilchrest	Olin	Weldon
Gillmor	Orton	Wolf
Gilman	Owens (NY)	Wylie
Gingrich	Owens (UT)	Young (AK)
Goodling	Oxley	Young (FL)
Goss	Packard	Zeliff
Gradison	Panetta	Zimmer
Grandy	Patterson	
Green	Paxon	

NOT VOTING—31

Ackerman	Hayes (LA)	Ray
Archer	Hefner	Roukema
Baker	Hubbard	Schulze
Barnard	Huckaby	Solarz
Boxer	Hyde	Stark
Bryant	Johnson (TX)	Towns
Campbell (CO)	Lent	Traxler
Early	Lewis (CA)	Weiss
Edwards (TX)	Lowery (CA)	Yatron
Gaydos	Marlenee	
Hatcher	Pursell	

□ 1929

The Clerk announced the following pairs:

On this vote:

Mr. Weiss for, with Mr. Ray against.

Mrs. Roukema for, with Mr. Marlenee against.

Mr. Towns for, with Mr. Lewis of California against.

Mr. MACHTLEY changed his vote from "aye" to "no."

Mr. MARKEY changed his vote from "no" to "aye."

So the amendments en bloc were agreed to.

The result of the vote was announced as above recorded.

Mr. CARR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I beg the indulgence of the House for just 1 or 2 more minutes.

The great orator and legislator Daniel Webster once said:

Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered.

Of all the Members I have had the privilege to serve with, Mr. Webster's statement brings most to mind our chairman, the gentleman from Florida, BILL LEHMAN, and our ranking minority member, the gentleman from Pennsylvania, LARRY COUGHLIN.

BILL and LARRY brought unique qualities to this institution. Soft-spoken, thoughtful, concerned about the people they served and the people they serve with, they made the Subcommittee on Transportation of the Committee on Appropriations a place where it was a genuine pleasure to serve, and they set a pattern of common dealing which those of us who follow will adhere to.

Of the gentleman from Florida, BILL LEHMAN, the Almanac of American Politics describes him this way:

There is such a thing as a shy, self-effacing used car dealer. Bill Lehman proves it. When he gets up to talk, smiling meekly and speaking in a soft drawl, it is hard to believe he once sold Buicks in Miami under the name "Alabama Bill."

The Fort Lauderdale News dubbed him the "unpolitician." The Politics of America manual says of LARRY:

Coughlin looks every bit the Main Line gentleman he is. His bow tie, upper class accent and prestigious education are the correct trappings for the representative from the State's most affluent district. This role comes naturally to the patrician Republican.

Both of these gentleman will be missed. Forty-four years of experience in our committee will be gone overnight. Both have served their public, both in times of war and in times of peace. LARRY was in the Marine Corps and BILL in the Army Air Corps in World War II. Both have a deep and abiding commitment to transportation and to urban affairs, and to the people they serve. We will sorely miss them.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. CARR. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I want to second the comments of my colleague, the gentleman from Michigan [Mr. CARR] and salute Chairman LEHMAN and the ranking member, the gentleman from Pennsylvania [Mr. COUGHLIN]. The gentleman from Florida [Mr. LEHMAN] has been extremely fair, and for someone who has served in the minority, and someday hopefully those Members over there will get to serve in the minority so they will understand how it feels, Mr. COUGHLIN and Mr. LEHMAN have worked together in a bipartisan way and Mr. LEHMAN has been extremely fair.

I want to say, "BILL, God bless you. I wish you the very best."

To the gentleman from Pennsylvania [Mr. COUGHLIN], I was a staff member for a Republican Member, Congressman Pete Biester, years ago, and Mr. COUGHLIN was elected then and Mr. COUGHLIN was a tremendous person then. I remember him when he came in the office that first day and we met him.

I want to wish both of them, God bless you. We wish the very best to both of them.

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will yield, I deeply appreciate my dear friend, the gentleman from Michigan [Mr. CARR] and the gentleman from Virginia [Mr. WOLF]. It has been a pleasure to serve with them. I must be retiring at the right time. Also, I deeply appreciate the ovation from my colleagues in the House of Representatives. I never expected anything like that.

Mr. COUGHLIN. Mr. Chairman, if the gentleman will yield, I just want to say my thanks both to the gentleman from Michigan [Mr. CARR] and the gentleman from Virginia [Mr. WOLF], and every single one of my colleagues in this great institution, the U.S. House of Representatives.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 1993".

Mr. LEHMAN of Florida. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DE LA GARZA) having assumed the chair, Mr. BOUCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5518) making appropriations for the Department of Transpor-

tation and related agencies for the fiscal year ending September 30, 1993, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

□ 1939

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1940

MOTION TO RECOMMIT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. DE LA GARZA). Is the gentleman opposed to the bill?

Mr. MICHEL. With the adoption of the last amendment I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MICHEL moves to recommit the bill, H.R. 5518, to the Committee on Appropriations with instructions to report it back forthwith with the following amendment:

At the end, insert the following new section:

SEC. . DEFICIT REDUCTION.

Any savings achieved under discretionary spending limits established under section 601(a)(2)(C) of the Congressional Budget Act of 1974 for fiscal year 1993 as a result of appropriations under this Act or any other appropriation Act shall be applied to reducing the Federal deficit for that fiscal year.

Mr. OBEY. Mr. Speaker, I reserve a point of order on the motion to recommit.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves a point of order.

The gentleman from Illinois [Mr. MICHEL] is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, will the gentleman yield for a question?

Mr. MICHEL. Yes, I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, is this amendment identical to the amendment the gentleman offered earlier?

Mr. MICHEL. The gentleman is correct.

Mr. OBEY. Then as we see it, it has no real impact on the Obey amendment just adopted, which amends the discretionary spending limits in section 601(a)(2)(C) in a deficit-neutral manner. It simply says any further reduc-

tions achieved from these limits would be used for deficit reduction, and we would have, or at least I would have no objection to that.

The SPEAKER pro tempore. The gentleman from Wisconsin withdraws his point of order.

Mr. MICHEL. Mr. Speaker, the amendment does have effect. I mean there are 108 Democrats who supported every Republican on this side thinking there was some substance to the amendment. For that reason I have to insist on it being made in order as a motion to recommit under the rule during consideration of the bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1993.

Mr. OBEY. Mr. Speaker, I think the gentleman misunderstood. I am not objecting to the amendment. I am saying we can adopt it 5 times or 10 times, it has no effect on the amendment just passed, and we would be happy to accept it.

Mr. MICHEL. Well, I disagree with the gentleman and would ask to be recognized for the 5 minutes that I am allotted under my motion to recommit.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] withdrew his reservation of a point of order. The gentleman from Illinois is, therefore, recognized under his motion for 5 minutes.

Mr. MICHEL. Mr. Speaker, my motion to recommit the transportation appropriation bill provides that the bill be reported back forthwith with the amendment that I offered earlier today. I feel so strongly about the fact that we are not abiding by our word in terms of the budget agreement that I feel we must revisit the issue before we have a final vote on the bill.

I noticed that a significant number of Members voted both for my amendment and the Obey-Gephardt amendment. To me that seems somewhat inconsistent, but then those who did so must have some good reason for doing so.

As I see it, Members either believe that we should break the budget agreement and spend more, or we should abide by the agreement and let savings within the categories go to reduce the deficit in each category.

We have been forced into a procedural king-of-the-hill procedure which made it easy for Members to vote "yes" on both amendments. And of course I have decried this procedure any number of times from a minority point of view. I now would like to know, and I think quite frankly the American people would like to know where Members really stand on the issue of reducing the deficit. And so those 108 Members on that side who supported what I was proposing initially, it seems to me, ought to be consistent and vote for my motion to re-

commit, as I would hope all of the Members on our side would join in doing. Then we could prevail again with that vote that earlier in the day was 268 ayes and 143 noes.

Mr. Speaker, with that I will rest my case, hoping that Members will have been persuaded by my arguments.

Mr. GEJDENSON. Mr. Speaker, I rise in opposition to the motion to recommit.

Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

I would simply explain that the effect of the amendment, since it does not strike the Obey amendment which was adopted earlier, is that it is supplemental to the Obey amendment. What that means is that it affects only any further reductions adopted after the passage of the Obey amendment. So, therefore, it has no effect on our amendment, and I think I can speak for most of us in saying that we would therefore accept it, because it has no impact, and we can pass it five times but it still will have no impact.

Mr. FROST. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Texas.

Mr. FROST. Mr. Speaker, I would like to ask the gentleman from Wisconsin [Mr. OBEY] a question if I may. Does this amendment have the effect of lowering the amount that is available for appropriation bills that have already passed the House if those appropriation bills did not reach the 602(a) allocation?

Mr. OBEY. If the gentleman from Connecticut will yield, which amendment?

Mr. FROST. The Michel substitute. Does it have the effect of lowering the budget allocation for those appropriation bills that have already passed the House prior to this date?

Mr. OBEY. That is not my understanding.

Mr. FROST. It seems to apply to all appropriation bills, that is my question, not just this appropriation bill. It appears to apply to every single appropriation bill.

Mr. OBEY. It does not apply to this amendment, which is the point in question.

Mr. FROST. Let me ask the question of the gentleman from Illinois [Mr. MICHEL] if I may. I would like to ask the minority leader if it is his intent, or the intent of his amendment to apply to every single appropriation bill, or is it the intent of his amendment to only apply to this appropriation bill?

Mr. MICHEL. If the gentleman from Connecticut will yield, I think it might be a very good idea. My original intent, however, was to have it apply only to this appropriation bill. And as we consider other appropriation bills, we

might see fit to do likewise. It is a good start and a good beginning.

Mr. GEJDENSON. Reclaiming my time, I yield to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. I would simply reiterate that since the amendment does not strike the Obey amendment, it does not apply to the Obey amendment. The Obey amendment has been adopted. It may apply to other actions, but it does not apply to the amendment that was just adopted by the House.

Mr. GEJDENSON. Mr. Speaker, I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Mr. BURTON of Indiana. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BURTON of Indiana. Mr. Speaker, there has been some confusion. The gentleman from Wisconsin [Mr. OBEY] has indicated that the Michel motion will have no bearing on what we have previously done. Many of us feel that it will supersede the action taken. My parliamentary inquiry that I would like to make to the Chair is that I want to find out, is it the opinion of the Chair that this will supersede the Obey amendment?

The SPEAKER pro tempore. The Chair does not rule on the consistency of such amendments, nor does he construe amendments.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MICHEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage.

The vote was taken by electronic device, and there were—ayes 268, noes 115, not voting 51, as follows:

[Roll No. 283]

AYES—268

Alexander	Billakis	Carper
Allard	Bliley	Chandler
Allen	Boehert	Chapman
Andrews (TX)	Boehner	Clement
Anthony	Boucher	Clinger
Armed	Brewster	Coble
Aspin	Broomfield	Coleman (MO)
Ballenger	Browder	Combest
Barrett	Bruce	Condit
Barton	Bunning	Cooper
Bateman	Burton	Costello
Bellenson	Bustamante	Coughlin
Bentley	Byron	Cox (CA)
Bereuter	Callahan	Cox (IL)
Bevill	Camp	Cramer
Bilbray	Campbell (CA)	Crane

Cunningham
Dannemeyer
Davis
de la Garza
DeLauro
DeLay
Derrick
Dickinson
Dicks
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Eckart
Edwards (TX)
Emerson
Engel
English
Erdreich
Ewing
Fawell
Feighan
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodling
Gordon
Goss
Gradison
Grandy
Green
Gundersen
Hall (OH)
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hefley
Henry
Herger
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hughes
Hunter
Hutto
Inhofe
Ireland
Jacobs
James
Johnson (CT)
Johnson (SD)
Jontz

Kanjorski
Kaptur
Kasich
Kennelly
Klecza
Kling
Kolbe
Kyl
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lewis (FL)
Livingston
Lloyd
Long
Lowey (NY)
Luken
Machtley
Martin
Mavroules
Mazzoli
McCandless
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Nagle
Natcher
Neal (NC)
Nichols
Nowak
Nussle
Olin
Ortiz
Orton
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard

Price
Quillen
Ramstad
Regula
Rhodes
Richardson
Riggs
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Sangmeister
Santorum
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Schumer
Sensenbrenner
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Spratt
Stallings
Stearns
Stenholm
Stump
Sundquist
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torricelli
Upton
Vander Jagt
Volkmer
Vucanovich
Walker
Walsh
Weldon
Whitten
Wilson
Wolf
Wyllie
Young (AK)
Young (FL)
Zelliff
Zimmer

NOES—115

Abercrombie
Anderson
Andrews (ME)
Andrews (NJ)
Annunzio
Atkins
AuCoin
Bacchus
Bennett
Berman
Blackwell
Bonior
Borski
Brooks
Brown
Cardin
Carr
Clay
Coleman (TX)

Collins (IL)
Collins (MI)
Conyers
Coyne
Darden
DeFazio
Dellums
Dingell
Dixon
Donnelly
Dwyer
Dymally
Edwards (CA)
Espy
Evans
Fascell
Fazio
Flake
Foglietta

Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gephardt
Gonzalez
Guarini
Hall (TX)
Hamilton
Hertel
Hoyer
Jenkins
Johnston
Jones (GA)
Jones (NC)
Kennedy
Kildee
Kolter
Kopetski

Kostmayer
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Markley
Martinez
Matsui
McCloskey
McHugh
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mrázek
Murphy
Neal (MA)
Oakar

Oberstar
Obey
Oliver
Owens (NY)
Payne (NJ)
Pease
Perkins
Rahall
Rangel
Reed
Roe
Roybal
Sabo
Sanders
Sarpalius
Scheuer
Serrano
Sharp
Smith (IA)
Staggers

Stokes
Studds
Swett
Swift
Torres
Traficant
Valentine
Vento
Visclosky
Washington
Waters
Waxman
Wheat
Williams
Wise
Wolpe
Wyden
Yates

NOT VOTING—51

Ackerman
Applegate
Archer
Baker
Barnard
Boxer
Bryant
Campbell (CO)
Early
Edwards (OK)
Gaydos
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Hubbard
Huckaby

Hyde
Jefferson
Johnson (TX)
LaFalce
Lent
Lewis (CA)
Lightfoot
Lipinski
Lowery (CA)
Manton
Marlenee
Moody
Morrison
Owens (UT)
Pursell
Ravenel
Ray

Ridge
Rostenkowski
Roukema
Rowland
Russo
Savage
Schulze
Smith (FL)
Solarz
Stark
Synar
Towns
Traxler
Unsoeld
Weber
Weiss
Yatron

□ 2004

Mr. SMITH of Texas changed his vote from "no" to "aye."

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. LEHMAN of Florida. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill back to the House with an amendment.

The SPEAKER pro tempore (Mr. DE LA GARZA). The Clerk will report the amendment.

The Clerk read as follows:

Amendment: At the end, insert the following new section:

SEC. . DEFICIT REDUCTION.

Any savings achieved under discretionary spending limits established under section 601(a)(2)(C) of the Congressional Budget Act of 1974 for fiscal year 1993 as a result of appropriations under this Act or any other appropriation Act shall be applied to reducing the Federal deficit for this fiscal year.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 306, noes 74, not voting 54, as follows:

[Roll No. 284]

AYES—306

Abercrombie
Alexander
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Aspin
Atkins
AuCoin
Bacchus
Barrett
Bateman
Bellenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Billirakis
Blackwell
Bliley
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bunning
Bustamante
Byron
Callahan
Camp
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dingell
Dixon
Donnelly
Dooley
Downey
Duncan
Durbin
Dwyer
Dymally
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans

Ewing
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hughes
Hutto
Jacobs
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klecza
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lloyd
Long
Lowey (NY)
Machtley
Markley
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum

McCurdy
McDade
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Mrázek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Oliver
Ortiz
Orton
Owens (NY)
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Pickle
Poshard
Price
Quillen
Rahall
Rangel
Reed
Regula
Rhodes
Richardson
Riggs
Rinaldo
Ritter
Roe
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Roybal
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Schaefer
Scheuer
Schiff
Schroeder
Schumer
Serrano
Sharp
Shaw
Shuster
Sikorski
Sisisky

Skaggs
Skeen
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Spence
Spratt
Staggers
Stallings
Stokes
Studds
Sundquist
Swett
Swift
Tallon

Tanner
Tausin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Traficant
Upton
Valentine
Vander Jagt
Vento
Vislosky
Volkmmer

Walsh
Washington
Waters
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Yates
Young (AK)
Young (FL)

NOES—74

Allard
Armey
Ballenger
Barton
Boehner
Burton
Campbell (CA)
Coble
Combest
Condit
Cox (CA)
Crane
Cunningham
Dannemeyer
Doolittle
Dorgan (ND)
Dorman (CA)
Dreier
Fawell
Fields
Franks (CT)
Gallegly
Gallo
Goss
Gradison

Grandy
Gunderson
Hancock
Hefley
Hollaway
Hopkins
Hunter
Inhofe
Ireland
James
Kasich
Kyl
Lagomarsino
Lewis (FL)
Livingston
Luken
McEwen
McMillan (NC)
Miller (OH)
Moorhead
Nichols
Nussle
Oxley
Packard
Pallone

Penny
Petri
Pickett
Porter
Ramstad
Roberts
Rohrabacher
Saxton
Sensenbrenner
Shays
Slattery
Smith (OR)
Smith (TX)
Solomon
Stearns
Stenholm
Stump
Thomas (CA)
Vucanovich
Walker
Weber
Wyllie
Zeliff
Zimmer

NOT VOTING—54

Ackerman
Applegate
Archer
Baker
Barnard
Boxer
Bryant
Campbell (CO)
Dicks
Early
Edwards (OK)
Gaydos
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Hubbard
Huckaby

Hyde
Jefferson
Johnson (TX)
Jones (GA)
LaFalce
Lent
Lewis (CA)
Lightfoot
Lipinski
Lowery (CA)
Manton
Marlenee
McCrery
Morrison
Owens (UT)
Panetta
Pursell
Ravenel

Ray
Ridge
Rostenkowski
Roukema
Rowland
Russo
Savage
Schulze
Skelton
Smith (FL)
Solarz
Stark
Synar
Towns
Traxler
Unsoeld
Weiss
Yatron

□ 2014

The Clerk announced the following pairs:

On this vote:

Mr. Synar for, with Mr. Johnson of Texas against.

Mr. Ackerman for, with Mr. Lewis of California against.

Mr. Barnard for, with Mr. Lowery of California against.

Mrs. Unsoeld for, with Mr. Pursell against.

Mr. Solarz for, with Mr. Ridge against.

Mrs. Roukema for, with Mr. Schulze against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SYNAR. Mr. Speaker, because of a previous commitment I was not present for rollcall No. 283, the Michel motion to recommit H.R.

5518 to the Committee on Public Works and Transportation with instructions. Had I been present I would have voted "no." Nor was I present for rollcall No. 284 to pass H.R. 5518, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1993. On that vote I would have voted "aye."

Mr. OXLEY. Mr. Speaker, I was unavoidably detained and was not present for rollcall votes numbered 277 and 278.

Had I been present for rollcall No. 277, I would have voted "nay."

Had I been present for rollcall No. 278, I would have voted "nay."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 5518, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

Mr. LEHMAN of Florida. Mr. Speaker, I ask unanimous consent that the Clerk may be permitted to make technical and conforming changes, including section renumbering, during engrossment of the bill, H.R. 5518.

The SPEAKER pro tempore (Mr. DE LA GARZA). Is there objection to the request of the gentleman from Florida?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF A JOINT RESOLUTION AND A BILL RELATING TO THE MOST-FAVORED-NATION TREATMENT FOR THE PEOPLE'S REPUBLIC OF CHINA

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-665) providing for consideration of a joint resolution and a bill relating to most-favored-nation treatment for the People's Republic of China, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Madam Speaker, I asked unanimous consent to proceed for 1 minute that I might inquire of the distinguished majority leader, the gentleman from Missouri, the program as we return after our break.

Mr. GEPHARDT. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the distinguished majority leader.

Mr. GEPHARDT. I thank the gentleman for yielding.

Madam Speaker, obviously our votes are finished for today. There will be no votes on tomorrow.

All of next week the House will not be in session because of the Democratic Convention.

On Monday, July 20, the House will not be in session.

On Tuesday, July 21, the House meets at noon on the Private Calendar. There will be three bills under suspension. Recorded votes on the suspensions will be postponed until the end of the legislative day.

They are, first, H.R. 2735, relating to miscellaneous, noncontroversial tax provisions; House Resolution unnumbered, to concur in Senate amendment to H.R. 2607, Rail Safety Enforcement and Review Act, with an amendment; and H.R. 5377, the Cash Management Improvement Act.

We will then consider House Joint Resolution 502, the China MFN disapproval, subject to a rule; H.R. 5318, United States-China Act of 1992, subject to a rule; and H.R. 2637, the Waste Isolation Pilot Land Withdrawal Act of 1992, open rule, 1 hour of debate.

On Wednesday, July 22, and the balance of the week, the House meets at 10 a.m., to take up H.R. 5503, Interior and related agencies appropriations for fiscal year 1993, subject to a rule; H.R. 4850, Cable Television Consumer Protection and Competitiveness Act of 1992, subject to a rule; H.R. 4312, Voting Rights Improvement Act of 1992, subject to a rule; H.R. 5236, Voting Rights Extension Act of 1992, subject to a rule; and H.R. (unnumbered), urgent supplemental appropriations, 1992.

Conference reports may be brought up at any time. Any further program will be announced later.

Mr. MICHEL. I thank the distinguished majority leader, and I yield back the balance of my time.

H. RES. 514

Resolved, upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 502) disapproving the extension of nondiscriminatory treatment (most-favored-nation) to the products of the People's Republic of China. The joint resolution shall be debatable for one hour, to be equally divided and controlled by Representative Solomon of New York and Representative Rostenkowski of Illinois or their designees. Pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion. All points of order against consideration are hereby waived with respect to the measures specified in this section and section 3 of this resolution.

SEC. 2. The provisions of sections 152 and 153 of the Trade Act of 1974 shall not apply to any other joint resolution disapproving the extension of most-favored-nation treatment to the People's Republic of China for the remainder of the One Hundred Second Congress.

SEC. 3. After disposition of the joint resolution (H.J. Res. 502), it shall be in order to consider in the House the bill (H.R. 5318) regarding the extension of most-favored-nation treatment to the products of the People's Republic of China, and for other purposes. The bill shall be debatable for one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered

on the amendments recommended by the Committee on Ways and Means now printed in the bill, which shall be considered en bloc and which shall not be subject to a demand for a division of the question, and on the bill to final passage without intervening motion except one motion to recommit.

AUTHORIZING THE SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS, AND MAKE APPOINTMENTS, NOTWITHSTANDING ADJOURNMENT

Mr. GEPHARDT. Madam Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Tuesday, July 21, 1992, the Speaker and the minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

The SPEAKER pro tempore (Mrs. BYRON). Is there objection to the request of the gentleman from Missouri? There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JULY 22, 1991

Mr. GEPHARDT. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, July 22, 1992.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? There was no objection.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO HAVE UNTIL 5 P.M., THURSDAY, JULY 16, 1992, TO FILE REPORTS ON SUNDRY BILLS

Mr. DE LA GARZA. Madam Speaker, I ask unanimous consent that the Committee on Agriculture have until 5 p.m. on Thursday, July 16, 1992, to file reports to accompany the bills H.R. 4059, the Enterprise for the America's Initiative Act, H.R. 4906, the Agricultural Credit Improvement Act of 1992, and H.R. 5237, the Rural Electrification Administration Improvement Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas? There was no objection.

RTC FUNDING

(Mr. HOAGLAND asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. HOAGLAND. Mr. Speaker and colleagues, on Monday of this week we learned the very unfortunate news that the eighth largest savings and loan in the country, a thrift called HomeFed Bank of San Diego, was taken over by the Government.

This thrift has 206 branches in California and total assets of \$13.5 billion, the largest institution ever taken over by the Government.

The reason this news is so unfortunate is because Mr. Ryan, the Director of the Office of Thrift Supervision, had placed the institution in the accelerated resolution program, which is a way of resolving thrifts in a way that does a minimum amount of damage to the taxpayer, but because of the administration's and this body's failure to enact additional funding for the RTC several months ago, the Office of Thrift Supervision was forced to place this institution into receivership and take it out of the accelerated resolution program.

Now, as a result of this action involving this and other thrifts, the price tag of the taxpayers is going to be millions if not billions more than it would have been otherwise.

I call on the administration and on both parties of this Congress to provide the RTC the funds it needs to finish cleaning up the S&L crisis because by not funding the RTC, we are adding millions and millions of dollars to the taxpayer's total bill.

REGULATORS SEIZE BIG CALIFORNIA THRIFT (By Susan Schmidt)

HomeFed Bank of San Diego was taken over by the federal government yesterday, the largest savings and loan yet to fail in the four-year-old thrift crisis that has cost taxpayers hundreds of billions of dollars.

The long-ailing California thrift, with 206 branches and \$13.5 billion in assets, fell victim to the 1980s' search for profits in high-risk lending on land and commercial real estate. Such loans, along with foreclosed real estate, made up 40 percent of HomeFed's holdings, federal officials said.

HomeFed is the eighth-largest S&L in the country. It is one of a handful of very large institutions that have been teetering on the brink of survival in Southern California, where the results of years of real estate recession are now hitting hard.

HomeFed lost \$268 million in 1990 and a staggering \$732 million in 1991. It showed a profit of \$31 million early this year, largely because of asset sales and tax credits.

The government will continue to operate the thrift indefinitely until Congress approves funds to cover the S&L's losses, pay off depositors and shut it down. Depositors remain federally insured up to the \$100,000 limit.

The Office of Thrift Supervision announced the government takeover yesterday after attempts to put together a plan to bring in a private buyer for HomeFed's deposit and some of its assets were frustrated.

Three months ago, OTS regulators placed HomeFed in the Accelerated Resolution Program, or ARP, which was designed to avoid a government takeover. It would have saved the government money, the agency maintains, by bringing in a new operator instead of placing HomeFed under government conservatorship. ARP is intended to preserve some of the institution's value by averting a deposit drain that generally occurs when an S&L is open but operating in government hands.

OTS has had to all but abandon its ARP program in the aftermath of Congress's re-

fusal this spring to approve any more money to close down dying S&Ls. The government is taking over insolvent institutions, but it cannot close HomeFed or any other S&L until Congress approves more money to cover losses and pay off depositors.

The longer an institution operates in government hands, the bigger the loss to taxpayers, federal officials say.

"Clearly, the taxpayers could have been saved millions, even billions of dollars, if funding had been approved to resolve HomeFed and other troubled institutions through ARP," said OTS Director Timothy Ryan in a prepared statement last night. "The lack of congressional initiative on this matter is troubling, as OTS cannot allow deteriorating thrifts to continue operating in the private sector."

Two other California thrifts with souring loan portfolios, California Federal Bank and Glendale Federal Bank, recently announced agreements with regulators that give them a year to raise capital substantially before risking possible seizure.

For California, with 1.3 million people unemployed and a deepening recession, yesterday's announcement was the latest in a string of gloomy economic development.

Last week, giant Hughes Aircraft Co. announced it would lay off 9,000 workers, and the state began handing out IOUs instead of paychecks as it wrestled with budgetary problems.

Against this backdrop, the takeover of the giant S&L was not even the top story on nightly TV news reports there, with commentators noting that at least with HomeFed, depositors enjoyed federal insurance for their savings.

HOMEFED'S SEIZURE WON'T SPEED SALE BECAUSE REGULATORS STILL LACK FUNDING (By Sam Zuckerman)

After a federal takeover on Monday, San Diego-based HomeFed Bank's much-ballyhooed sale remains clouded by the thrift-bailout agency's funding crisis.

HomeFed, with about \$12.4 billion in assets, failed after an ill-fated venture into construction lending left it virtually without capital and with a bulging portfolio of sour loans. It is the nation's eighth-largest savings institution and the biggest ever to be put into receivership.

As in the case of other failed thrifts, HomeFed's sale will be delayed until Congress provides the Resolution Trust Corp. funds to dispose of seized institutions. The agency ran out of money for thrift resolutions in April.

WAITING FOR CONGRESS

The timing of HomeFed's sale depends on how quickly Congress acts, said Elisabeth N. Spector, the RTC's director of accelerated resolutions.

"If we got the money today, we could resolve it by the end of October," she said.

Regulators previously tried to sell HomeFed under the accelerated resolution program, a procedure aimed at selling troubled institutions without putting them through formal federal takeovers.

HomeFed, with its network of some 200 branches in California, was one of the accelerated program's crown jewels.

After HomeFed was put up for sale last April, a bevy of investment bankers and thrift acquisition specialists descended on the institution. But, without money, regulators could not proceed, forcing a takeover.

Receivership may further erode HomeFed's franchise and increase costs to the govern-

ment, but it will not substantially alter regulators' plans for selling the thrift. "Not all that much will change," said Ms. Spector.

The RTC plans to sell HomeFed under what it calls the "coordinated institution marketing" procedure.

Under the program, an institution's deposits, branches, and assets, including nonperformers, are put up for sale at the same time, though they may be sold to separate buyers. The program aims to rid the RTC of problem assets quickly as possible.

Previously, the RTC sold only branches, deposits, and high-quality loans, keeping problem assets for later sale.

□ 2020

SAN FRANCISCO MOURNS THE LOSS OF JOE PASSEN

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Madam Speaker, I rise today to pay tribute to and celebrate the life of my good friend Joe Passen who died on June 6. Joe was very special to our San Francisco community, and he was a person who contributed much to make our country great.

Madam Speaker, Joe Passen was a San Francisco labor and neighborhood activist, a decorated war veteran. He was awarded the Bronze Star in World War II. He was a retired member of the ILWU.

Madam Speaker, I say to my colleagues, "When you know about Joe Passen, you know more about San Francisco." His proudest boast about our city was:

San Francisco is proud to be the first city in the world to become a trade union town. To understand San Francisco is to look beyond its physical beauty and value its commitment to grassroots participation, to its neighborhoods not always visited by the tourist and the television cameras, and to the value it places on the workers in the society.

That is what Joe Passen's life was all about. It was also about his wonderful wife, Ruth, their family and their new granddaughter, Natalie.

Joe was a handsome, proud man who was loved by his friends. We are fortunate to have known him. He will be greatly missed.

Born in Chicago, Mr. Passen came to California in 1927, and moved to San Francisco in 1939, where he was a rank-and-file activist in a wide variety of unions.

As shop steward for a ship repair union while working in the Bethlehem Shipyards at the beginning of World War II, Mr. Passen was instrumental in securing promotional opportunities for women workers. Before his intervention, women had been kept in a lower paid helper status, but when Mr. Passen observed women working without supervision, he fought to win them higher paying jobs.

And as part of a rank-and-file caucus in Teamster Taxi Drivers Local 265, Mr. Passen helped issue an underground newsletter, The spokesman, during the San Francisco taxi drivers' strike in the late 1940's.

At the time of his retirement in 1978, he had worked on the city's waterfront as a ship's clerk for 14 years and had been active in local 34 of the International Longshoremen's & Warehousemen's Union. He served yearly as part of the local's honor guard during the commemoration of Bloody Thursday, the anniversary of the July 1934, San Francisco general strike.

Preservation of the city's waterfront for maritime use and public access was a major commitment for Mr. Passen, and in 1990 he helped to spearhead the drive for proposition H, which banned hotels on the city's waterfront.

He had also been active in efforts to defeat measures that would have required public funds to be spent for a baseball stadium. And despite declining health, he continued to be passionate about expressing his point of view. When newly elected Mayor Frank Jordan spoke on Potrero Hill April 8, Mr. Passen received enthusiastic applause from the neighborhood crowd when he stressed that "what made San Francisco a world class city was not a baseball team. San Francisco is proud to be the first city in the world to become a trade union town."

Throughout his decades of activity on the labor, political and neighborhood fronts, Mr. Passen was known for his outspoken and firm commitment to principle.

"Joe Passen was a great San Franciscan," said former Mayor Art Agnos, a family friend. "He always put the neighborhoods first without compromising his progressive politics."

While Mr. Passen served in the Army Air Corps in the Pacific during World War II, winning the Bronze Star, he strongly opposed the Korean war, and was a cofounder of Vets for Peace. He was attacked on a local radio talk show for his efforts and became the target of a spate of threats in 1951. He went on to be active in opposing the Vietnam war, coordinating the hundreds of monitors who worked in the massive 1967 and 1969 peace demonstrations in San Francisco.

Mr. Passen worked for many years on the staff of the Potrero View newspaper, and also served as vice president of the board of directors of the Potrero Hill Neighborhood House. Upon his retirement, Mr. Passen and a group of fellow retired union activists formed the Fort Point Gang, who walk weekly by the bay under the shadow of the Golden Gate Bridge.

Mr. Passen is survived by his wife Ruth, son and daughter-in-law Marc and Dianne and granddaughter Natalie.

THE MULTIPURPOSE AUBURN DAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DOOLITTLE] is recognized for 5 minutes.

Mr. DOOLITTLE. Madam Speaker, today the gentleman from California [Mr. LEHMAN] and I have introduced a very important bill for California. It is a bill to authorize the multipurpose Auburn Dam.

Madam Speaker, for 6 years Californians have alternatively faced the twin threats of flood and drought. These problems can be cured by a multipur-

pose facility done in stages which provide the flood control the Sacramento area so desperately needs, and is seeking, and which will also then allow for a second stage to be added which will provide for tremendous environmental enhancements to our fisheries, improvements to the recreational areas in the Sacramento area and which will also relieve our drought, now in the sixth year, and which will provide a new source of clean hydroelectric power.

All of those benefits can be achieved, and I would just observe that the debate about this issue seems to be centering around how shall we use the Federal flood control money that is available to build the project, and it is our belief that this money should be used in the way that makes it stretch the furthest and provides the greatest benefit to our constituents and that way will allow for a multipurpose facility.

We require in this bill that the first stage will be built in such a way as to allow for later a convenient and easy expansion into a multipurpose dam. That means we have got to have the facility designed and built to include openings with gates and also built in such a way that it can be added on to conveniently, and we have in there a proviso that says that the structure that is built in two stages must be no more expensive than what it would cost if we started right from scratch and built a multipurpose Auburn Dam right from the outset.

Now I would say just by way of observation that this is a facility that has been much talked about. The study is now complete for the flood control portion of it. I wish the study were ready so that we could move ahead immediately on the multipurpose features, but I will say that finally, at long last, our local entities are prepared to step forward and to pay for the multipurpose features of this dam.

Madam Speaker, that is a big breakthrough. It will be all local money, and it will enable us, and all non-Federal money, will enable us to relieve the condition of drought that has been so difficult for us in these recent years.

California has a history, a recorded history, back from the first part of the 20th century. We have had a 10-year drought, and it is important that we plan for the future. The recreation at Fulsome Lake will be devastated beginning in the very near future as the reoperation of Fulsome begins to provide interim flood control storage. The fish are being killed by the warm water as a result of the low lake level. The flows that we are accustomed to in the Lower American River will be increasingly diminished until and unless we increase our supply of water. California has had nearly a 20-percent increase in population over the last decade, and yet we have developed no new water for the region.

Madam Speaker, it is now becoming a question of either making the pie larger, the water pie, or of reallocating shares, and, if the reallocation occurs, it is going to be very harmful to our State's No. 1 industry, which is agriculture.

Interestingly enough, we can develop Auburn Dam water for about \$100 an acre foot, a bargain at today's prices. The people of Sacramento County have voted in 1990 in measure T overwhelmingly in support of a multipurpose Auburn Dam, and the surrounding counties support the dam. It is merely a matter now of putting our shoulders to the wheel and moving forward, and in that spirit we have introduced today this legislation.

Madam Speaker, hearings will be held before the Committee on Interior and Insular Affairs and the Committee on Public Works and Transportation on July 23.

Madam Speaker, I appreciate the opportunity to address the House on this measure of importance to us.

NEW ASSURANCES FOR AMERICAN CONSUMERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS of Illinois. Madam Speaker.

Mr. Speaker, a little over 1 year ago I stood in this well and reported to this body that Canadian meat imported to our country was improperly inspected. I am happy to inform my colleagues that I have received assurances from Secretary of Agriculture Edward Madigan that he has personally taken steps to address deficiencies in the procedures used to inspect Canadian meat imported into the United States. At hearings before the Subcommittee on Commerce, Consumer Protection, and Competitiveness last year, public advocacy groups, a Department of Agriculture [USDA] meat inspector, and the General Accounting Office [GAO], criticized the current inspection system, raising concerns that the public health is not being properly protected.

During a meeting in my office early last week, Secretary Madigan explained that he had only recently become aware that Canada has tougher inspection rules for United States meat imports than the United States has for inspecting Canadian meat products. In Canada, every truckload of United States meat is required to stop and be subject to inspection; but only one of every eight or nine truckloads of Canadian meat must stop for inspection in the United States.

Secretary Madigan assured me that under a new inspection program which he hopes to negotiate with Canada by August 1, there will no longer be any skiploads—every load of Canadian

meat will have to stop and be subject to inspection. In addition, Canadian packers will not be told in advance which shipments will be inspected; and the practice of having Canadian inspectors pull the samples United States inspectors are allowed will also stop.

The new program is expected to be modeled after the Canadian program of inspection. There will be no reduction in the number of meat inspectors.

Concerns about the inspection program for Canadian meat were first raised in a hearing the subcommittee held on May 15, 1991. A USDA import meat inspector testified at the hearing that the lack of controls under USDA's current inspection program threatens public health.

The subcommittee's investigations revealed that Canadian meat packers are attempting to ship large quantities of meat into the United States that do not comply with USDA standards. The USDA inspector who testified said that he alone had rejected over 1 million pounds of Canadian meat in 1990. The General Accounting Office confirmed his claim in an investigation I requested.

The GAO also criticized the USDA's streamlined inspection system which was adopted as a result of the United States-Canada Free-Trade Agreement. According to the GAO, the USDA's practice of notifying Canadian meat packers in advance as to which of their shipments will be inspected together with allowing Canadian meat inspectors, rather than USDA inspectors, to pull the samples for inspection, severely undermines the credibility of USDA's inspection program.

In testimony before the subcommittee, GAO expressed concern over the practice of relying on Canadian officials to do the job that USDA inspectors have traditionally done. GAO said:

To have the person being evaluated pull his or her own sample creates the appearance that the sampling process lacks independence and objectivity. In our opinion, the streamlined inspection procedures, as currently designed, will be a continuing source of allegation, controversy, and criticism.

As a result of testimony given at the hearing, in letters to Secretary Madigan dated May 23, 1991; January 22, 1992; May 14, 1992; and June 17, 1992, I recommended that the Department of Agriculture do away with the streamlined inspection program. USDA meat inspectors, not foreign nationals who have no responsibility to our government or the American public, must be given complete authority to pull samples and conduct frequent and thorough inspections of Canadian meat.

The bottom line is that the health and safety of American consumers must not be jeopardized in the name of free trade with Canada or any other country.

I am very pleased that Secretary Madigan has taken my concerns seri-

ously and is personally involved in this matter. I have great confidence in his commitment to do the right thing for the American consumer on this issue. The subcommittee will watch closely to see that the goals set by the Secretary are in fact achieved.

□ 2030

REGIONALISTIC POLITICS

The SPEAKER pro tempore (Mrs. BYRON). Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. WALKER. Madam Speaker, I would like to begin this evening by congratulating AL GORE on his selection as the Vice Presidential candidate for the Democratic ticket. I worked with AL on the Science, Space, and Technology Committee over a number of years. I enjoyed the experience. He is a capable person who has a lot to offer from his viewpoint, but I must say that his philosophical viewpoint and mine were considerably different and we often had a real difference of views over the issues before the committee.

What I do know now is that this is a ticket which is heavily balanced toward the liberal viewpoint, and the American people need to understand that in the dialog which is about to occur.

I must say that I think the issues raised by the Gore nomination are more issues relating to Bill Clinton than they are to AL GORE. It seems to me that the Clinton campaign has at this point abandoned semblance of a national campaign strategy. It appears as though they have taken the roll of the dice toward having a purely southern strategy, and that their hopes are that when the campaign comes down to the fall, that it will be purely a campaign between George Bush and Bill Clinton, and they will be able to eat into a base of the Republican Party that is purely southern.

But understand for those of us in States like Pennsylvania, it does mean that there is no real balance here, the kind of balance that George Bush did when he picked DAN QUAYLE from the Midwest to be on the ticket, who brought a little different perspective.

All of us, regardless of our credentials as national politicians, do as well tend to be regional politicians, and we do tend to have experiences based upon those areas of the country where we were raised and where our political roots are. In this particular case the entire base of the ticket will be southern in nature.

There have been many people watching Governor Clinton to find out whether or not Governor Clinton is going to be able to expand his fairly narrow political base. What is now clear is that Governor Clinton does not

want to do that, that Governor Clinton has made the decision that he is going to keep his base right where it is.

It is certainly clear to me in this nomination that the Democratic Party has decided to not pursue its opportunities in the Northeast, in the Midwest, and in the West, and has instead decided that they will pursue a purely southern strategy in their quest for the Presidency.

I note from some of the reactions on the Democratic side that there are some Democrats who are also worried about this. Speaker FOLEY spoke to it saying that he thinks that the old notion of geographical balance has been weakened in the modern political environment. He may be right on that, except, as I say, the experience level of politicians is very much tied to their regions, and this is very narrow.

Jesse Jackson was quoted as saying, they will have their hands full to expand their base beyond the Southern Democratic Leadership Council territory.

That, I think, is the concern when you take a look at what happened here.

So I do congratulate AL GORE. As I say, he is a very capable individual. But it does raise real concerns I think amongst many Americans about whether Governor Clinton has the national viewpoint that is required of a President.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. JONTZ] is recognized for 5 minutes.

[Mr. JONTZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

[Mrs. BENTLEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

SHIPBUILDING IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. TAYLOR] is recognized for 5 minutes.

Mr. TAYLOR of Mississippi. Madam Speaker, I come tonight to address a matter of great importance, and that is Secretary of Transportation Carr's maritime revitalization program that he recently unveiled to the House Merchant Marine and Fisheries Committee.

The Transportation Secretary at least should be credited with trying to improve the merchant marine, but, unfortunately his program, like the program of Secretary of Defense Cheney and so many programs of our Trade Representative Carla Hills, continues a

bias against Americans, and that is at the heart of Secretary Carr's proposal, is to take American taxpayer dollars and use it to subsidize ships that were built in foreign shipyards with foreign subsidies and then give those ships an American flag and the protection of the United States.

I say he follows the bias of Secretary Cheney because that is precisely what Secretary Cheney has been doing for the past 4 years now as year after year the Congress of the United States, the House Armed Services Committee, the House Appropriations Committee, appropriates money for a fast Sealift program so we can have the ships in order to move our troops and supplies to a different area of the world in a time of war. For the past 4 years the Secretary has refused to spend the money in the hopes that the Congress will back down and allow him to purchase those ships from foreign shipyards, again at a time in the past 10 years that this Nation has lost 300,000 shipbuilding-related jobs since the Reagan administration asked and unfortunately this Congress approved a cut in shipbuilding subsidies for our Nation.

It troubles me additionally that the National Oceanographic and Atmospheric Administration now has a budget of \$1.2 billion for shipbuilding. They also want to build their ships overseas.

Bit by bit, they are giving away the American dream. On the day I was born our nation ranked second in the entire world in shipbuilding. Today we are 24th and 98 percent of all the ships that are built in America are for the Department of Defense.

□ 2040

There are 16 countries in the world that get foreign aid from the United States that build more ships than we do. Combined they get over \$3.8 billion. There are 9 countries in the world that build more ships than we do that have American troops stationed there, and between the 9 of them that is 380,000 young American men and women who are protecting their country at the expense of Americans, for the sake of their nations, and at the expense of our jobs.

It troubles me to hear Secretary Carr making statements to the effect that we can have those ships built cheaper overseas, that the American worker is getting too much money. It really troubles me to hear that coming from a person who is paid \$142,000 a year, who in his inner staff has 120 political and Presidential appointees, who budget for just his inner staff is \$1,280,000, who drives around in a chauffeur-driven limousine and talks about the American worker making too much money, when at the same time he was giving that testimony people were lined up in places like Morgan City, LA, Pascagoula, MS, San Diego, CA, who would have gladly given the shirt

off their backs for an \$8 or \$10 an hour job at any of our shipyards.

I want to invite Secretary Cheney, Secretary Carr, our chief trade negotiator, Carla Hills to get out of the limousine, to go into the Kmart in Morgan City, LA, or the grocery store in Pascagoula or maybe the Wal-Mart out in San Diego and look the people in the eye that they say are too lazy and too incompetent to build ships, remind them that their boss is up for reelection in November and that he has appointed each one of them knowing what their policies were.

I want to remind the American people, who are being constantly told by this administration that they are too lazy, too inefficient to build things here that they have a chance to remind the person who is telling them that that maybe he does not deserve his job come this November.

My colleagues, the United States of America can only be a great nation if we are a great manufacturer, if we are a great maritime power. Every great nation of the world before us has been so. Every great nation after us will also. It is time for these people in the administration to quit giving away the American dream. It is time for this Congress to quit agreeing with them. And above all, it is time for those of us who are on the public payroll to start having some confidence in the people who pay our salaries.

VACATING OF SPECIAL ORDER AND REINSTATEMENT OF SPECIAL ORDER

Mr. DREIER of California. Madam Speaker, I ask unanimous consent to vacate my 60-minute special order tonight and, in lieu thereof, be permitted to address the House for 5 minutes.

The SPEAKER pro tempore (Mrs. BYRON). Is there objection to the request of the gentleman from California?

There was no objection.

CONGRATULATIONS TO PRESIDENT BUSH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 5 minutes.

Mr. DREIER of California. Madam Speaker, I take this special order to extend very hearty congratulations to President Bush on an issue which tragically has not gotten the kind of support that I believe is warranted.

The Group of Seven in Munich several days ago focused a great deal of attention on the plight of the people of the former Soviet Union and other emerging democracies and the whole issue of economic growth and trade. Unfortunately, some in the media have portrayed this meeting as something less than a success for President Bush.

Clearly, the President, in going to Munich, made a very strong case in behalf of the American people. I say it was on behalf of the American people because clearly the goals which the President had set forth for economic growth for the world will have a very strong beneficial impact on the United States of America.

And by that, I am referring, of course, to the goal of trying to remove trade barriers which exist in many parts of the world. There has been much criticism over what some have referred to as the new world order, but by definition, what the President wants to bring about with the new world order is simply self-determination and obviously sovereignty for people within their countries and, as it appears in some parts of the world now, the States which are attempting to declare their independence.

Madam Speaker, it seems to me that as we look at what came from that summit, we could not have been better represented because as we successfully implement the goals which the President was calling for, that being the reduction of those trade barriers, we create for American consumers and, yes, American workers, too, the opportunity to produce and to purchase the best quality products at the lowest possible price.

We know that as we create more and more competition, it will create that benefit and that has been the resounding message of President Bush at the G-7 summit.

One of the key items that came out of the summit was, of course, the very positive news that Boris Yeltsin, the President of the Russian Republic, had. And that news was debt relief. We all know that clearly foreign aid is not something that is particularly attractive in this institution or among the American people. I am not an enthusiastic supporter of massive foreign aid packages which have in the past emanated from this Congress. But it seems to me, as we look at those people who are struggling to emerge from totalitarianism in the republics of the now Commonwealth of Independent States, that trying to provide some kind of relief is necessary.

Remember, it was not relief that is coming from the American taxpayer. It was an agreement that was struck by the seven leaders of that group with me in Munich. So I would say that it is essential for us to do what we can to provide assistance to the emerging democracies because we clearly do not want to see them shift back to a pattern of having despotic leaders. And I hope very much that the agreement that was struck will be beneficial all the way around.

I would like to make one brief comment, Madam Speaker, about the appointment, the selection by Bill Clinton of our colleague here in the Con-

gress, former House colleague, AL GORE. I certainly extend congratulations to him and, as Secretary Baker said today, I wish him the worst of luck in the goals that he will now be pursuing because I do not want to see him become Vice President.

But I do say this of the appointment that Mr. Clinton made: This has clearly become a campaign which is regional. Bill Clinton talked throughout his primary campaign of the effort to bring about a national campaign. I happen to come from a State that has 31 million people, the largest State in the history of the Republic. We will have the largest congressional delegation come January 1993, in the history of the Republic with 54 Members, 52 House Members and 2 Members of the other body, the U.S. Senate. It seems to me that concerns of the West have been ignored with the selection of our friend AL GORE.

I also am concerned, while I am very proud of the record that I have had in dealing with environmental issues, I am concerned that AL GORE clearly represents what I consider to be environmental extremism which poses a very serious threat to economic growth and job creation.

So I just wanted to say those things. Congratulations to President Bush for his very strong and successful work at the G-7 summit, and I also congratulate AL GORE on having been selected by Bill Clinton. But as I said earlier, I hope very much that he is not successful as he heads toward November.

TALKS SIGNAL HOPE FOR RECONCILIATION CONCERNING NORTHERN IRELAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. FOLEY] is recognized for 5 minutes.

Mr. FOLEY. Madam Speaker, last week comprehensive talks were launched between the British and Irish Governments and the main constitutional parties in Northern Ireland. These talks aim at nothing less than a total redefinition of the relationships between the Protestant majority and Catholic minority within Northern Ireland and of the roles of the Irish and British Governments in and concerning Northern Ireland. They follow on earlier talks between the constitutional parties proposed and chaired by the British Government.

These comprehensive talks must be seen with hope by all who follow Irish affairs and who desire to see peace and reconciliation replace the cycle of futile and tragic violence in Northern Ireland. The talks offer such hope because they include the voluntary participation of all the parties who must be involved in any lasting settlement in the north, and because they are being conducted on the basis of prin-

ciples calculated to produce agreements that genuinely reflect the consent of all the parties. I sincerely trust that this process can lead to new and imaginative structures which will give full and fair expression to the two political aspirations on the island of Ireland.

This House has consistently shown its concern and willingness to assist constructively in the resolution of the problem of Northern Ireland. It is my fervent hope—one shared, I believe, by all my colleagues in the House—that these comprehensive talks will result in an early and peaceful resolution of the Northern Ireland conflict, the last residual issue of Anglo-Irish history. Such a resolution has proven elusive in the past. I devoutly pray that this is the hour it can be realized.

I commend both governments and all the constitutional political parties in Northern Ireland for their renewed dedication to this process of peace.

IN HONOR OF JUANITA JACKSON MITCHELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. HOYER] is recognized for 5 minutes.

Mr. HOYER. Madam Speaker, I rise today to pay tribute to one of Maryland's as well as one of this Nation's real heroes, Juanita Jackson Mitchell. Mrs. Mitchell was the matriarch of one of America's great families, the wife of Clarence Mitchell, Jr., one of America's great leaders.

Mrs. Mitchell, who was a longtime fighter against racial discrimination and injustice, died Tuesday at the age of 79.

□ 2050

With her passing, this country has lost one of its finest advocates of social justice and racial harmony. Juanita Mitchell was the daughter of Lillie Carroll Jackson, a local Baltimore NAACP leader. She was the mother of four sons: George Davis Mitchell, Dr. Keiffer Jackson Mitchell, Senator Clarence M. Mitchell III, and Senator Michael Bowen Mitchell. She instilled in all of them the same thirst for the destruction of hatred and bigotry that gripped this Nation in the fifties and sixties, and which, unfortunately, is still with us today.

Madam Speaker, if it were not for the courage of Juanita Jackson Mitchell and those like her, this Nation would no doubt be under the cloud of segregated neighborhoods and schools, restricted department stores, and white only public accommodations.

After being the first African-American woman to graduate from the University of Maryland Law School, Mrs. Mitchell was faced with a city bar association that up until that point admitted not one single black. As an attor-

ney, Juanita Mitchell used the legal system to help topple the barriers of racism and discrimination wherever she found them. As legal counsel and head of the Maryland NAACP, she convinced the city of Baltimore to hire African-American librarians and police officers.

In 1953, she, along with Thurgood Marshall and two other lawyers, was instrumental in abolishing segregated schools. She can also be credited, Madam Speaker, with registering thousands of new African-American voters.

In 1940 Juanita Mitchell was named by President Roosevelt to be a member of the White House Conference on Children. In 1963 President Kennedy appointed her to the White House Conference on Women and Civil Rights. In 1966 President Lyndon Johnson appointed her to the White House conference to fulfill these rights.

Juanita Jackson Mitchell, known to Presidents and known to her neighbors. Madam Speaker, Juanita Jackson Mitchell was the embodiment of all the hopes and desires of those people who were unable to stand up for themselves. She was the voice of the oppressed and the meek. She fought for their dignity and through her sacrifices helped achieve a better life, not only for her fellow African-Americans but for all people of all races and all creeds.

Those of us who knew her will miss her. Those of us who respect her know that Maryland and the Nation have lost a great leader. Those of us who relied on her conscience, her voice, and her hand on behalf of every American, high and low, rich and poor, young and old, black and white, Jew and Gentile, know that she will not be soon replaced. We wish her Godspeed.

We extend our sympathy to her loving family, and we will on Saturday join, I am sure, hundreds and perhaps thousands of people at the memorial service as we say goodbye to not just a great Marylander, not just a great American, but a great member of the human race.

INTRODUCTION OF THE CHILDREN'S INITIATIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Madam Speaker, 2 days ago the children's defense fund released the findings that rank each State by the poverty level of its children. The statistics and its ramifications for the youngest, most vulnerable, and most innocent in this society, our children, are absolutely appalling. Hopelessness and a brutal future are the realities these children will face if action is not taken. And now is the time.

I direct this call to action to all of my colleagues and to the President of the United States, who should be the leading advocate for strengthening families and ensuring our

children start school ready to learn and to keep learning. However, the President has done little to prevent the swelling levels of unemployment, homelessness, disintegration of family and hungry children, and some would argue that the recession is not yet over. It is a sad and ironic observation to note that these disaffected groups comprise a literal Third World country within our so-called developed Nation. How can this administration have allowed such outrageous levels of poverty and hunger to happen in this society?

I encourage my colleagues to look closely at the findings the children's defense fund released which indicate that child poverty went up in 33 states between 1979 and 1989, and the number of poor American children grew by 1.1 million, to a total of 11.2 million, between the censuses of 1980 and 1990. The child poverty rate increased by more than 11 percent from the 1980 to 1990 census, and by almost 19 percent since the 1970 census. The youngest Americans had the greatest likelihood of being poor in 1989: 20.1 percent for children younger than 6, compared with 17.3 percent for those ages 6 to 17.

These dreary statistics apply to all States and all races in our society. The problems are extremely prevalent and are becoming increasingly worse. A black child had a 2 in 5 chance of being poor in 1989, a white child had a 1 in 8 chance and an Hispanic child had a 1 in 3 chance. And since 1989, the situation has gotten worse due to the recession and figures from the yearly current population survey show that the number of poor children nationwide rose by 841,000 between 1989 and 1990 alone. These trends must end.

The Congress has truly taken the lead to address these problems with the introduction of legislation today that combines two key measures. Two initiatives, the Family Preservation Act, authored by my colleague Mr. DOWNEY, and the Mickey Leland Childhood Hunger Relief Act, which I authored, will have a lasting and critical importance for families and childhood hunger prevention in this country. Together they will be known as the children's initiative. I am most pleased to be joining Mr. DOWNEY in his efforts, along with Mr. DE LA GARZA, Mr. HALL, Mr. TALLON, and Mr. ESPY, who have been tireless supporters of this issue, to solve some of these critical problems. As many of you know, I have been involved in childhood issues for over a decade.

Mr. DOWNEY's legislation will speak to the States' growing responsibility to strengthen and preserve families. The bill would address urgent and substantial resource needs among State and local child welfare agencies, and encourage State and local innovation in designing programs to keep families intact and prevent expensive and unnecessary foster care placements. Provisions also include addressing the needs of abandoned children, children at high risk, and children exposed to drugs. As a result, States will be able to deal with the dismal status of our child welfare system, and allow States to develop necessary and cost-effective services that will avoid immense social and economic costs in the years to come.

The Mickey Leland bill, which enjoyed bipartisan support and garnered over 100 cosponsors, will help the neediest of families

and addresses the highest priority concerning the prevalence and ravages of hunger and its consequences. It is a national disgrace that about 5 million American children under age 12 go hungry every month with millions more at risk. These hungry children are two to three times more likely to have suffered recent health problems, and these problems are associated with higher school absenteeism.

The bill's antihunger provisions will help the neediest of families and children by assisting those families with high shelter costs so that more income is available to purchase food. Recent data show that 56 percent of poor renters spend at least half of their incomes on shelter versus the Federal standard of 30 percent. It is these families who often are at risk of homelessness and must often choose between heating and eating.

Other major provisions also target assisting families with children and preventing homelessness. The provisions include providing incentives for payment of child support and allowing families that live together to save on shelter costs, to be considered separate Food Stamp households, and not be penalized by overcounting household income.

This entire initiative, which represents scaled down versions of the two original bills, will be fully paid for in each and every year and over the 5 years covered by the legislation, according to CBO cost estimates, by a surtax on the wealthiest in our society. In addition, the financing of this measure would result in an overall reduction in the deficit of \$1.2 billion over 5 years. With the outstanding leadership of both Chairman ROSTENKOWSKI and TOM DOWNEY, the House Ways and Means Committee recently approved the family preservation legislation and the financing mechanism.

This is an important opportunity to help our children develop and reach their full potential. The time to help is now. I urge all of my colleagues to join me in these efforts to help the neediest of families, and to strengthen and preserve the families by supporting the family preservation and hunger relief initiative.

THE SUPERCONDUCTING SUPER COLLIDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BROWN] is recognized for 60 minutes.

Mr. BROWN. Madam Speaker, 3 weeks ago, the House voted to terminate the superconducting super collider [SSC], which by the end of the decade promises to be the world's largest, most expensive, and in all likelihood most productive scientific facility. Whether the House's action will hold up in the Senate, or through conference, is at this moment uncertain. But we do know that an effort will be made to revive the SSC in the other body and that there is a very good chance that Members of the House—come September—will have another opportunity to vote on the question of whether the SSC should be built.

I am speaking on this issue today in anticipation of that future vote. When

it comes, it will be essential for the Members of the House to have a clear understanding of the implications of termination of the SSC not only on high-energy physics, but also on this Nation's leadership in science and technology, on our future economic performance, and ultimately on our vision of ourselves.

I hope that, when that second vote comes, Members will consider the fact that abandoning our pursuit of the next frontier in high-energy physics would in fact be a monumental decision. I can think of no comparable situation in which the United States—or indeed human society—consciously decided that it could not afford the next level of understanding in a premier field of science. The urge to pursue knowledge is an unharnessable one; ultimately, if we turn our backs on the next frontier, others will take up the quest.

I make this plea because, although the June 17 floor debate on the SSC was far reaching, the overriding issue in that debate was a simple one: money. The SSC vote followed within a week of an emotional and extended debate on the balanced budget amendment. Many Members were highly receptive to the opportunity to eliminate funding for a large, visible project—especially one with benefits perceived to be regional rather than national. In my mind, it was the coincidence of these circumstances which explains why 78 Members—nearly 20 percent of those voting—changed from SSC supporters in 1991 to SSC opponents 1 year later.

The SSC, although expensive, was a solid, well-managed program in 1991. The Department of Energy's cost estimate for completing the project has not changed by 1 penny over the past 18 months. The record shows that in 1992, the SSC is still a solid, well-managed program—expensive but worth the investment. In short, nothing of substance has changed in the management of the project over the past year to explain a switch of 78 votes.

Today, in laying the groundwork for a second vote on the SSC in the House later this session, I would like to review the costs and benefits, and the criticisms and justifications, of this project. If we vote on the SSC again this year, we should do so based on a clear understanding of both costs and benefits. The costs—billions of tax dollars, potentially deferred opportunities in other scientific fields—are easy to understand. The benefits—international prestige, pushing the frontiers of basic research—are more nebulous and ephemeral. That, however, does not make them any less important.

In reviewing the floor debate of June 17, I found that there were three basic criticisms of the project:

First, the SSC is a low-priority science and technology project.

Second, the construction of the SSC is being mismanaged by the Department of Energy and its contractors.

Third, we simply cannot afford the SSC.

I would like to review each of these issues in turn, focusing ultimately on the importance and benefits of fundamental research of the type represented by the SSC to U.S. economic and political leadership.

IS THE SSC LOW-PRIORITY SCIENCE?

During the June 17 debate, many Members argued that the funding demands of the SSC are such that they will squeeze out many diverse and important scientific projects, including other worthwhile efforts in high-energy physics. This is a legitimate concern, and one that I expressed myself on the floor in a colloquy with Mr. BEVILL, the chairman of the Energy and Water Development Subcommittee.

In the end, however, I was convicted the risk was worth taking.

The history of high-energy physics in one of fundamental and startling discoveries made possible by a progression of larger and more powerful particle accelerators. As each new generation of accelerators is built, the older accelerators become obsolete. This is the nature of the fields; this is how progress is made. If the SSC is ultimately built, and if 10 years from now the mix of high-energy physics facilities is different than it is today, we should consider it a sign of progress, and certainly not a cause for alarm.

In the short term, will funding for the SSC, in fact, squeeze out funding for other scientific projects that have higher priority? This is a very difficult question to answer, since each Member will have his or her own set of priorities. For some, the top priority might be health research; for others, research into renewable energy or environmental technologies; for others, the SSC.

But in any discussion of priorities, we must remember one crucial fact. Any money that is saved by terminating the SSC will not necessarily flow to other scientific projects, regardless of whether they are high or low priority. In fact, despite rhetoric to the contrary, terminating the SSC may not even lead to deficit reduction. Because of the nature of the appropriations process, it is just as likely that any SSC savings will be expended on non-scientific programs such as water development. Good public policy would seem to dictate that, rather than considering each project piecemeal, the Congress should decide upon the overall funding level and on the mix of projects that comprise our total science and technology portfolio. We probably should weigh projects like the SSC against possible increases in funding for cancer research or critical technology development. But we don't operate that way. We operate through in-

dividual appropriations bills, of which at least six deal extensively with matters related to science and technology. And in the system we have, there is no guarantee that money saved from the SSC will go to higher priority science. It is just as likely that money saved from the SSC will only serve to reduce the overall level of funding that science and technology receive.

What about the narrower question of whether the SSC is high-priority physics? On this question, the record is clearer. The executive board of the American Physical Society strongly confirmed its support of the SSC after the House vote. In addition, there are many nonphysicists who understand the importance of the breakthroughs that the SSC will foster. Robert Galvin, chairman of Motorola, has stated that:

The SSC, by providing energies 20 times greater than any previous accelerators, permits nuclear collisions that examine very small distances and thus magnifies twenty-fold our ability to look at the most basic interactions of matter. There is no other way to reach such small dimensions with adequate intensity in the laboratory than by building the SSC. It will provide a tremendous advance in scientific understanding of natural laws.

What about the contention that by disrupting funding for smaller projects, the SSC will, in the words of the Washington Post, "leave physics weaker rather than stronger in this country"? The best answer to this question comes from the high-energy physics community itself, which was asked by the Department of Energy to lay out programs for United States high-energy physics through the 1990's under several budget scenarios. Under all budget guidelines, the High Energy Physics Advisory Panel [HEPAP] said that the SSC was central to a forward-looking physics program:

In all our plans, we consider construction of the SSC to have the highest priority in the U.S. particle physics program and to be absolutely essential for continued progress in our field into the 21st century. The energy and luminosity of the SSC will provide a unique opportunity to answer some of the most fundamental questions about the structure of matter.

It is appropriate that we in the Congress do our best to set priorities for science and technology in a system which does not permit easy comparisons or trade-offs. But as we do, we should remember that the SSC's strong support from within the Nation's high-energy physics community is no accident, but the result of a very difficult and protracted priority-setting exercise within that community itself. We should also remember that a vote against the SSC does not by itself set scientific priorities; rather, it sacrifices a science project to politics in the name of fiscal responsibility, with no assurance that the elimination of that project will in fact ease funding

pressure elsewhere in the research budget.

IS THE SSC MISMANAGED

During the floor debate, there were charges that the SSC is being mismanaged by the Department of Energy and its contractors. Many of these charges were based on investigative work carried out over the past 1½ years by the Investigations and Oversight Subcommittee of the Committee on Science, Space, and Technology. As chairman of the Science Committee, I strongly support a vigorous Investigations and Oversight Subcommittee, and I salute the hard and probing work that the chairman of the subcommittee, Mr. WOLPE, and the ranking Republican member, Mr. BOEHLERT, have done on this and on other issues. Strong congressional oversight is essential on programs like the SSC. Without it, public trust in our \$70 billion annual Federal R&D investment would be minimal.

In reviewing the record, it would seem that all the charges of mismanagement essentially boil down to two basic contentions. First, the Department of Energy has consistently low-balled its estimates of project costs. Two, even today, the project cost and claims are not believable. What is the evidence to support each of these charges?

There is evidence to support the contention that project costs have consistently escalated over the past 5 years. But some of the claims of cost overruns are in themselves wildly exaggerated. A reading of the floor debate would lead one to believe that the cost of the SSC has escalated from less than \$4 billion to more than \$11 billion in the past 5 years. In fact, the first serious estimate of the SSC's cost was made in 1988. That estimate—\$5.3 billion in as spent dollars—is about \$3 billion less than the current estimate of \$8.25 billion. Some of the cost growth since 1988 is legitimate and excusable; some is not. In the excusable category, we should recall three factors.

First, the \$5.3 billion estimate was not site specific or design specific.

Second, since the \$5.3 billion estimate was made, full annual appropriations have not been provided by the Congress, a factor which stretches the time of construction and therefore the cost of the project.

Third, to provide greater reliability and to enhance the level of experimentation possible, the SSC underwent a significant redesign in 1990.

These are all mitigating and legitimate reasons for changing the cost estimate. Removing these factors, I would estimate that the degree of cost overruns in this project is on the order of 20 to 25 percent over the last 4 years. These are matters for concern, but they are not, in and of themselves, evidence of severe mismanagement. The level of overruns over the past 18 months is zero.

An issue related to the question of overall project cost is the extent to which foreign contributions may offset Federal obligations. I agree with many that the Department has been overly optimistic about foreign contributions for at least 5 years. It is in fact for this reason that on June 17, Mr. WALKER and I offered—and the House adopted—an amendment that would tie SSC appropriations to certification by the President of substantial foreign commitments. I stated then that the SSC is affordable and worthwhile, but only if a substantial amount of the total project cost is defrayed by State and foreign contributions. This requirement for foreign participation was also a key component of the SSC authorization bill which passed the House in 1990.

What about the second charge of mismanagement—that even today claims about the project's total cost are not believable? Much of this case rests on a statement contained in a letter written in January this year by Assistant Secretary of Energy W. Henson Moore, who complained to the project manager that "*** the overrun problems are continuing or may even be getting worse."

The letter in question refers not to the entire project, but to the work of the architect/engineering contractor on the project. It refers to problems that are now 6 to 12 months old. According to the Secretary of Energy these problems did occur but have been corrected by a number of means, including a reduction of contractor staff.

These are not easy matters to resolve. According to the Secretary of Energy, the contractor is now working within budget and schedule. According to the project's critics, the system employed to track project cost and schedule is insufficiently sensitive to make this determination. Where does the truth lie? The best guidance probably comes from an examination of representative contracts. On that score the project's record is generally good. The most technically challenging components in the program—the state-of-the-art superconducting magnets—are being developed ahead of schedule. Conventional construction contracts, including tunneling, have come in below the baseline estimate. Although the project is really just beginning, and problems may yet appear—for example, in full-scale industrial production of the magnets—there do not appear to be any obvious show stoppers that would justify termination of the project.

In short, although a variety of investigations have revealed some transitory problems in program management, there is no clear evidence to date that would lead one to conclude that the project will exceed the estimated project cost of \$8.25 billion.

IS THE SSC AFFORDABLE

I have tried to restate the case that I made on the floor on June 17, that

"there is only one dispute about the SSC. That dispute, pure and simple, is about money." The cutting-edge nature of the physics research that will occur at the SSC facility is undeniable. So is the wisdom of providing good jobs for our scientists and engineers at a time when defense cutbacks have eliminated many high-technology jobs. But the question remains. In light of the fact that we cannot afford everything, and therefore that we must make choices, can we afford the SSC? Or to put it another way, will our investment in the SSC pay off?

Answering this question requires a fair amount of distance and perspective. Answering this question requires an appreciation of the long-term benefits, both tangible and intangible, of basic research.

Those on both sides of the SSC issue have engaged in an often misguided debate about the specific technological advances that will or will not flow from the SSC. It is easy to debunk some of these claims. The fact is that there is no way that we can predict with any certainty how the SSC will or will not improve the economy or the quality of life of the American people in the next century. But as Nobel Laureate Leon Lederman testified before the Senate last week, the same arguments could have been raised about the work of Newton, Faraday, Maxwell, Planck, and other renowned physicists "whose pure, basic abstract research today accounts for a large part of our gross national product."

What we do know is that the scale of the SSC, and the powerful way in which it will investigate the most fundamental laws of nature, virtually guarantee that it will ultimately have a major impact on the quality of our lives. We also know that the engineering that leads to industrial improvement and productivity is based on cutting-edge science. Robert Galvin of Motorola made this case last week before the Senate. In his testimony, "The Importance of the SSC to Science, Engineering, and Economic Development," Mr. Galvin noted:

Engineering for industrial improvement is based on science. Occasionally, basic discoveries have almost immediate application to the marketplace; a good example was the discovery of the transistor in the basic research of Bardeen and Brattain. Usually, many discoveries fit together to give an increasingly profound understanding of phenomena and then the engineers use this understanding to develop practical devices. The engineers, as the problem solvers of our society, must have close connection with the scientists in order to apply scientific understanding to give useful and marketable products.

Combined with information from many other sources, the SSC will give discoveries that will set the tone for the science of the next century. The engineering of the next century will then be transformed by science just as our engineering has been.

I know that many Members are not comfortable with these rather abstract

arguments about the necessity and efficacy of investments in basic research. That they are hard to quantify does not make them any less true. One day, we may have the economic tools to understand the exact relationship between investments in basic research and industrial productivity. But for now we will have to be satisfied with some extremely intriguing, albeit preliminary, studies.

Robert M. Solow won the Nobel Prize for Economics in 1987 for his work in the early fifties on the relationship between technology, innovation, and economic growth. Prior to Solow, most economic theory posited that investment of savings was the key to growth. Solow showed with statistics on wage and property income between 1909 and 1957, however, that neither capital investment nor increase in workers was the key factor in economic growth. Rather, it was a residual factor, an undefined broad category that has come to be known as innovation or technology. Solow's findings led directly to the notion that support for basic research, particularly at universities, is a key factor in generating the new knowledge which ensures continued technological innovation.

In the decades since Solow published his Nobel-winning work, a generation of economists has struggled to break down the residual technology factor to get a clearer picture of the specific processes that promote growth. There are a number of possible factors at work, including basic research, applied research, education, on-the-job training, and unstructured on-the-job learning. The work of Edwin Mansfield of the University of Pennsylvania is most noteworthy in explaining the relevance of basic research to productivity increases. Mansfield used a random sample of 76 major American firms in 7 manufacturing industries to understand both the extent to which technological innovations are based on recent academic research, and the time lags between the investment in academic research and industrial utilization of these findings. Mansfield's findings are very interesting in light of the ongoing SSC debate:

About one-tenth of the new products and processes commercialized during 1975-1985 *** Could not have been developed without recent academic research. The average time lag between the conclusion of the relevant academic research and the first commercial introduction of the innovations based on this research was about 7 years. A very tentative estimate of the [annual] social rate of return from academic research during 1975-1978 is 28 percent ***.

But what does this economic research have to do with the SSC? Even if we accept the argument that technology and innovation are the keys to growth, and that basic research is a key element in technology and innovation, how do we know that the SSC is the kind of basic research that will be

useful to our economy and to our society?

One answer to this question is that any research as fundamental and as high-quality as that occurring at the SSC will be useful to society simply because of the tremendous underinvestment by the U.S. economy in research and development. We are well behind our economic competitors in these investments, and the trends are worsening. These are the themes that the Committee on Science, Space, and Technology emphasized in its "Views and Estimates" submission to the Budget Committee in February of this year. In that report, we made the basic point that R&D funding trends suggest a strong rationale for additional targeted investments in civilian high-technology programs.

For most of the past 10 years, defense R&D soared while Federal civilian R&D failed to keep pace with inflation. During the same period, with no coherent Federal technology policy in place, private R&D investment fell behind levels set by our competitors. Today, as a result, these competitors far outstrip the United States in percentage of GNP devoted to civilian R&D investments. As a percentage of GNP, the United States' 1.9 percent, is only investing about two-thirds as much as Japan, 3.0 percent, or Germany, 2.9 percent, on civilian R&D. Even with defense R&D included, the United States is still slightly behind Japan in total R&D expenditures as a percentage of GNP. In many high-technology industries, it is not unusual for Japanese companies to spend up to 15 percent of their profits on cutting-edge R&D—often two to three times as much as their United States counterparts.

Actually, according to two stories by Bill Broad which appeared earlier this year in the New York Times, I may even be underestimating the extent of our comparative decline in research and development. These stories highlight several disturbing trends. First, in the past 2 years, the amount of total R&D conducted in the United States has declined for the first time in over 20 years. In 1990, as a result of restructuring and recession, industrial R&D in the United States showed its biggest drop in three decades. Second, it is becoming clear that the Federal Government has been using inappropriate currency conversion rates and systematically underestimating the strength of Japan's support of industrial R&D. Using actual exchange rates between the dollar and yen, Japan—with half the population of the United States and an economy only two-thirds as large as that of the United States—is spending over \$80 billion annually on industrial R&D, an amount which is larger than that spent by United States industry. In short, at a time when Japan is outspending the United States on capital investment, \$586 billion ver-

sus \$524 billion in 1990, it has also become the world's leading patron of industrial R&D.

It is compelling to note that this period of growing civilian R&D commitment by our competitors, which was unmatched by the United States, correlates with the decline in our industrial competitiveness. Furthermore, in those areas where U.S. R&D expenditures have remained strong, such as biotechnology, pharmaceuticals, and aeronautics, our competitive position has remained strong.

In light of the critical importance of R&D to economic growth, the Science Committee has recommended as a fundamental national goal that the total Federal R&D commitment at least maintain pace with inflation over the next 10 years. This should be done in two ways. First, tax policies should be structured so that within a decade, private R&D investment will grow sufficiently to enable our overall civilian R&D investment level to approach that of our economic competitors.

Second, we should accelerate the ongoing shift of resources and personnel from defense R&D programs to civilian R&D programs. Historic trends suggest that this shift is overdue. While our civilian R&D expenditures stagnated over the past 10 years, defense R&D experienced 76 percent real growth. In 1979, the ratio of Federal defense to civilian R&D was 48:52. The ratio steadily rose to a peak of 69:31 in 1986 and has been slowly decreasing since. In fiscal year 1992, the ratio stands at 60:40, and in the President's fiscal year 1993 budget submission, despite the greatly diminished Soviet threat, the ratio drops only one additional point to 59:41. Given that the total annual Federal R&D investment is well over \$70 billion, small percentage shifts from defense to civilian R&D have the potential to yield large returns in technological investment. Reversing the current 60:40 defense: Civilian ratio to a 40:60 ratio would reallocate a total of \$14 billion from defense R&D to civilian R&D programs.

In short, we can afford the SSC, if we consider it to be a crucial part of a long-term strategy to redress some very disturbing investment trends in the United States. If these trends are allowed to proceed unchecked, they cannot fail to eat away at our standing in a world which will be increasingly dominated by science and technology.

CONCLUSION

Madam Speaker, I would like to close this special order with a few words on the problems that we in the Congress face in dealing with big science—projects like the SSC, fusion reactors, and the space station that are increasingly controversial because of their size, their expense, and the multiyear commitment necessary to bring them to fruition. Big science facilities are not big because of pork-barrel consid-

erations. They are large because shared, complex facilities have become essential to scientific progress in a whole range of disciplines, including astronomy, oceanography, computing, and biology, as well as physics.

If we expect to continue to be world leaders, we can not expect to revolutionize science by watching apples fall from a tree. We will need an appropriate balance of small and big science. It is mindless to oppose all big science projects simply because they are big. In doing so, we virtually guarantee that many fundamental breakthroughs in our understanding of nature will not occur in the United States. By rejecting all big science, we demonstrate that we are unable or unwilling to play the role of the steady, scientific leader in a new world order where security will be based as much on economic and technological strength as on military weaponry.

I know that in the face of huge budget deficits, it is not easy to support a program whose benefits are as uncertain and long-term as the SSC's will be. But ultimately, even if we lose our will, the scientific promise of the SSC will prove to be so intriguing that the work will be done, albeit on other shores. And when that happens, we will send the signal that we knew what a great society should do, but we lacked the will to get it done. This would be a message to the youth of America—and to the world at large—that we are a nation in decline.

□ 2110

SCOWCROFT IMPROPERLY INTERVENED IN CCC PROGRAM AND MANY MORE LIES TO CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, earlier today my colleagues at the Judiciary Committee called upon the Attorney General to seek the appointment of an independent counsel to investigate the conduct of officials and private parties involved in the Iragate affair. There are just reasons for this, and I will provide new details today.

I will provide new information showing that the White House improperly intervened in the Agriculture Department's operation of the Commodity Credit Corporation [CCC] in order to appease Saddam Hussein. In the process they violated their own policy of not using food as a political weapon. I will also discuss new evidence that several high-ranking Bush administration officials have repeatedly misled the Congress and U.S. farmers about the suspension of the CCC Program.

SCOWCROFT IMPROPERLY INTERVENES IN USDA ADMINISTRATIVE REVIEW

In previous statements I have revealed a great deal about the November

8, 1990, National Advisory Council decision to approve the \$1 billion CCC Program for Iraq that year. I showed that the White House, National Security Council, and the State Department used their power to win approval for the full billion dollar program for Iraq despite serious concerns by the Treasury Department, the Office of Management and Budget, and the Federal Reserve that Iraq probably could not repay the credits and that the program was rife with corruption as evidenced by the BNL scandal.

Today I will show that White House and State Department intervention in the operation of the CCC Program for Iraq did not end in 1989. In fact, their intervention escalated as 1990 unfolded. As an example, in April 1990 the State Department told the USDA not to publicly announce that Iraq had broken numerous CCC regulations. At the time the USDA acquiesced, but they again pressed for a public announcement of the suspension in May 1990. May 1990 is just a few months before August 2, 1990, when Iraq invaded Kuwait.

On May 18, 1990, the White House itself intervened to stop the public announcement. Brent Scowcroft, the President's top National Security Adviser, asked USDA Secretary Clayton Yeutter to hold off on announcing the suspension of the program. Yeutter went along with the scheme to mislead the public and on May 21, 1990, a press release issued by the USDA did not mention that the program was suspended. There never was a public announcement of the suspension.

It is clear that the White House and the State Department were running the CCC Program for Iraq. They did eventually agree to suspend the program in late May 1990, but they kept the suspension a secret from both the Congress and everyone else. I can now shed light on those events and show that the White House's heavy hand overrode sound management principles for political reasons. The White House's actions were anything but "prudent," as President Bush is trying to insist now.

SCOWCROFT GETS VISIT FROM IRAQI AMBASSADOR

Mr. Brent Scowcroft was heavily involved in the decision to approve the \$1 billion CCC Program for Iraq, and he was also involved in the manipulation of that program until Iraq invaded Kuwait in August 1990. His staff at the NSC had frequent contact with the staff of the USDA team investigating the BNL scandal. When it was necessary, Mr. Scowcroft himself intervened to win his way with the USDA. Indeed, he was a key decisionmaker in the CCC Program, which is illustrative of how foreign policy dominated the foreign credit program.

To illustrate these points let me quote from a March 5, 1990, State Department memorandum.

National Security Council Staff contacted USDA March 2 to inquire about the delay (in the CCC Program) after the Iraqi Ambassador complained to General Scowcroft. Iraq needs the second tranche now. USDA's present delay in releasing the second tranche damages the interests of U.S. producers that sell to Iraq as well as our political relationship with that important country. *** it appears that it will take a high-level NAC decision to move USDA any more quickly.

Pressed for action by Iraq, and anxious to mollify Saddam Hussein, Scowcroft and the State Department hatched a plan to use the CCC Program as a political weapon against the increasingly belligerent Iraq. The President and Mr. Scowcroft now have to answer to the public as to why they allowed Iraq to utilize the first \$500 million installments of CCC credits prior to suspending the program.

CONSPIRACY TO DEFRAUD

As the memo I just read from indicates, by March 1990 the USDA had serious doubts about going forward with the second \$500 million tranche of CCC credits for Iraq, but the White House and State Department were opposed to suspending the program because they were using the program in an effort to modify, or mollify Iraq and Saddam Hussein.

□ 2120

The USDA's Under Secretary, Richard Crowder, was responsible for the CCC Program. He apparently believed that the CCC regulations required the program for Iraq to be suspended, as indicated by an April 5, 1990, USDA memorandum, which reports:

Dick Crowder and I met with Under Secretary McCormack (a State Department official) late yesterday afternoon. We advised State of our plans and they more or less concurred, but would ask that we not use the term "suspend" regarding Iraq's [CCC] program. Instead we can talk in the press release about the existence of any further guarantees awaiting resolution and additional information regarding the pending questions.

A USDA-prepared draft press release dated April 1990 states:

Under Secretary Richard T. Crowder announced today that the Department's fiscal year 1990 CCC program for Iraq would be suspended after the \$500 million line of export guarantees, announced in November 1989 is exhausted. *** USDA review of the Iraqi program has raised a number of questions regarding conduct of the program, and USDA has therefore notified Iraq of its intention, at the current time, to suspend the program for fiscal year 1990 at the current \$500 million level.

In fact, Crowder went as far as telling several Capitol Hill staffers that the CCC Program was suspended. Notes from a May 17, 1990, briefing of Senate Agriculture Committee staffers state:

We have enough evidence to suspend program *** Crowder will not recommend further CCC credits until OIG (Office of Inspector General) and criminal investigations are completed. USDA is not going forward with the second \$500 million.

The assertion that the USDA had enough evidence to suspend the program is supported by a May 7, 1990, letter from Mr. Crowder to the USDA Inspector General regarding after-sales services, which is a fancy word for kickbacks:

According to Iraqi officials, this practice occurred primarily in conjunction with sales of wood products, but we understand after-sales services have been a common strategy of many Iraqi state enterprises. Iraq identified several U.S. exporters in the wood products industry that provided after-sales services * * *.

To summarize the situation in April/May 1990 the USDA wanted to shut down the Iraq program because of numerous program violations. The USDA had concerns about the diversion of U.S. commodities for weapons for military purposes. The USDA had proof that it was Iraqi Government practice to solicit bribes, and the USDA found evidence of overpricing of commodities to include freight charges in violation of program regulations.

In addition, the U.S. attorney in Atlanta had found numerous violations of the laws related to the CCC Program and Iraq and the U.S. attorney in Raleigh, NC, found eight BNL financed tobacco companies had improperly included foreign source tobacco shipments to Iraq and that three had paid bribes to Iraqi officials to win contracts with Iraq.

In other words the CCC Program for Iraq was rife with corruption, Iraq had violated numerous CCC Program regulations, and there was concern that Iraq had diverted commodities to pay for weapons. It is clear that the USDA had plenty of evidence to shut down the program. Despite that evidence, Brent Scowcroft and Clayton Yeutter stopped Mr. Crowder from suspending the CCC Program and then conspired to keep that information secret.

SCOWCROFT-YEUTTER AXIS

Notes from a Treasury Department conversation with the National Security Council on May 17, 1990, state that the USDA sent a 33-page report to the Justice Department, State Department, and the National Security Council. The notes state: "Agriculture planning to shut program down." The notes go on to say that the USDA will release the news after the commodities markets close on Friday, May 18, 1990.

Armed with its recently completed administrative review, which clearly showed problems in the CCC Program, the USDA was ready to shut it down on May 18, 1990, but Mr. Scowcroft intervened to stop that action. Notes from a Treasury Department conversation with the National Security Council dated May 18, 1990, are astonishing. The notes state:

Scowcroft called Yeutter and asked him not to put out press release today saying "terminating program." Not to do that until we have an interagency review. Agriculture may still put out report since it doesn't have any policy recommendations.

Let me repeat that: "Scowcroft called Yeutter and asked him not to put out a press release today saying program terminated."

The Treasury Department's notes are supported by Commerce Department notes from a Rostow Gang meeting held in June 1991. The Rostow Gang participants that day were discussing the various information that they were going to deny to the Congress, and we are trying to figure out how they could do that. The notes of the meeting reveal the existence of a May 18, 1990, letter from Scowcroft to the Department of Agriculture.

The notes indicate that the President was going to protect that letter. In other words the President would claim Executive privilege on the Scowcroft-Yeutter letter. The Banking Committee has made numerous requests for information to the USDA. I have signed many a letter. The Scowcroft letter was never turned over to the committee, and I have written Agriculture Secretary Madigan asking him to explain that oversight.

PRESS RELEASE MISLEADS

Apparently Clayton Yeutter does not like to disappoint his superiors. On May 21, 1990, the USDA issued its administrative review. The press release accompanying the review did not mention that the program was suspended. Obviously Mr. Yeutter complied with Scowcroft's request to say nothing. It would be interesting to know if Scowcroft was acting on his own or the request was cleared by the President himself. The President should answer that question.

On the same day the U.S. Ambassador to Iraq, April Glaspie, sent a secret cable to Mr. Scowcroft which expressed alarm about reports that the CCC Program would be cut off. She pointedly stated:

Word has reached the Embassy here in Baghdad—but not the Government of Iraq—that Agriculture has decided to turn down the second tranche of CCC credits for Iraq. * * * from a foreign policy perspective the decision is difficult to justify. My own thinking is that unless Agriculture has uncovered a legal hornets' nest, we will want to proceed with the second tranche of credits. It remains unclear why we would want to use food as a weapon.

Referring to the planned suspension, Ambassador Glaspie protested that a cut-off would undermine efforts to convince Saddam Hussein that the United States really wanted to work with him:

Turning down the CCC credits would send the signal that the administration has decided to join those in Congress who had already reached the conclusion that the U.S. had no option but to pursue a policy of sanctions and containment. A sudden shift now will be read by the Iraqis as purely political—part of the U.S. conspiracy against Iraq.

What the cable shows is that the CCC Program for Iraq was first and foremost a foreign policy tool and that Glaspie did not want the program sus-

pended because she feared it would send Iraq the wrong signal. Her superiors obviously and evidently agreed.

Mr. Crowder went along with the decision to say nothing about the suspension which meant that American farmers, the commodities markets and the public had to be deceived. There is some evidence that indicates that Crowder may not have like the idea. In a memorandum to Brent Scowcroft on May 23, 1990 Crowder states:

Notwithstanding the above considerations, additional CCC credit guarantees to Iraq should not be made over and above the \$500 million already authorized in fiscal 1990 until the question concerning program irregularities with sales to Iraq are cleared up. * * * it cannot overemphasized that any constraint on CCC credit guarantees must not be based on foreign policy considerations.

□ 2130

But it appears Mr. Scowcroft, with April Glaspie's advice in hand, had different plans. Treasury Department talking points for a May 29, 1990, NSC meeting on Iraq state:

Meeting has been initiated by NSC staff because they want to prevent the CCC Credit Program from being canceled as it would exacerbate the already strained foreign policy relations with Iraq.

Agriculture had planned to put out a press release on May 21 that said the program was being suspended until the investigations into improprieties in the program were completed.

The NSC prevailed on Agriculture to say only that their investigation showed that improprieties may have occurred and remain silent on a suspension.

In fact, there is a suspension in effect, Agriculture has already briefed Congress on this prospect.

We believe that further CCC programming for Iraq should be suspended if USDA believes it is warranted under its own statutes.

The NSC Deputies Committee meeting was held on May 29, 1990, to discuss potential strategies for dealing with Iraq. In preparation for that meeting the State Department formulated a list of policy options that could potentially be used as a tool to modify Iraq's actions. Regarding the CCC Program the paper states:

CCC Program: This is the largest program we currently have with Iraq. All the sanctions legislation on the Hill, aside from Inouye-Kasten, exempts CCC. PRO: Since Iraq's record of repayment on CCC-guaranteed loans is good and USDA's review will probably give Iraq a fairly clean bill of health, suspension of CCC at this point would be a strong political statement. CON: It would violate our policy against using food as a political weapon and hit some U.S. agricultural exporters hard. It might also lead Iraq to default on CCC-insured loans. Other countries would sell these commodities to Iraq.

Apparently, at the conclusion of the meeting, it was decided that the second

\$500 million installment would not be released. It was a too little, too late effort to get tough on Saddam Hussein. Iraq had already utilized \$400 million of the first tranche and the taxpayers got stuck with the tab for that mistake.

For the White House and State Department the decision to suspend the program on May 29, 1990, meant that the Bush administration violated its own policy against using food as a political weapon. This amounted to Orwellian Double Speak since food was used for precisely political purposes—namely to entice Saddam Hussein into becoming a respectable world citizen, or at least a facsimile of one.

What disturbs me today is the hypocrisy and arrogant attitude of the administration. They repeatedly tell the Congress and the public that they don't engage in such primitive practices as using food as a political weapon. As an example look at an April 10, State Department letter commenting on Congressman BERMAN's Iraq sanctions bill introduced in early 1990. The letter very primly says:

It has been the strong and repeated position of the Administration not to use food as an economic weapon of foreign policy through the imposition of embargoes on agricultural exports, or otherwise to place limits on our export programs for political reasons.

The USDA chimed in on the effort to deceive about the foreign policy nature of the CCC Program when on April 18, 1990, the USDA's General Counsel, Alan Raul was quoted as stating:

Raul is loath to release the NAC record. That's internal document and doesn't want to see link to foreign policy * * * released publicly.

Lies like these are used so often I sometimes wonder if the White House, State, and Agriculture Departments actually believe that it is true. The evidence surely does not support their pious public statements.

STRATEGY TO DECEIVE ORIGINATED AT STATE DEPARTMENT

The strategy to deceive the public about the suspension of the CCC Program appears to have been spawned in the State Department by Mr. Jock Covey. An April 1990 State Department memorandum from Covey to State Department Under Secretary Robert Kimmitt states:

Given the Administration's policy that food will not be a political weapon, we may not be in a position to make a formal announcement that there will be no second tranche of CCC credits this year. We can in fact place the program under prolonged review, resulting in the same end. The Iraqis will get the message as will agricultural exporters and farm state Congressmen.

This strategy to mislead the public about the use of the CCC program and the lies that accompany the strategy are downright shameless. Lies like these hurt real people. One cost of the suspension lie is that the Bush administration had to mislead farmers, the

commodity markets, particularly for rice, the Congress and the public about its real policy toward Iraq.

NO PUBLIC ANNOUNCEMENT OF SUSPENSION AND LIES TO CONGRESS

The decision to keep secret the decision to suspend the program led to many more lies. The USDA had to deceive U.S. farmers, Members of the Congress, and the public. The Banking Committee has numerous letters which the USDA wrote to Congressmen between April 1990 and August 1990, and none of the letters mention that the CCC Program for Iraq was suspended.

For example:

May 4, 1990, USDA to Senator HOWELL HEFLIN;

May 21, 1990, USDA to Senator LLOYD BENSTEN;

May 24, 1990, USDA letter to House Judiciary Chairman JACK BROOKS and Congressman MIKE ANDREWS of Texas;

June 15, 1990, USDA letter to Senator TRENT LOTT; and

July 6, 1990, USDA letter to Senator RICHARD SHELBY.

These Members all had hard working farmers in their districts that were concerned about losing the sales of agricultural commodities to Iraq. They had plans to make and resources to reallocate if there was not going to be sale to Iraq. In other words they had to run their businesses. The administration must be required to answer why they misled U.S. farmers and their representatives in Congress.

CROWDER AVOIDS ISSUE OF NSC INTERVENTION

In recent testimony before the Banking Committee Mr. Crowder purposely failed to answer the committee's questions about NSC and White House involvement in the handling of the CCC Program for Iraq. In a letter of invitation of May 21, 1992, the committee asked Mr. Crowder to answer for his written statement the following questions:

Question No. 2: How did foreign policy considerations affect the USDA's position related to the consideration of the fiscal year 1990 CCC Program for Iraq?

Question No. 3: How did Iraq's human rights record affect the USDA's position related to the consideration of the fiscal year 1990 CCC programs for Iraq?

Question No. 6: Please explain the National Security Council's role in the USDA's administrative review of the BNL scandal?

Question No. 7: Please explain the White House's and National Security Council's role in USDA decision making process related to the fiscal year 1990 CCC Program for Iraq?

Close scrutiny of Mr. Crowder's testimony reveals that he failed to address any of these questions in his written submission to the committee. In fact Mr. Crowder misled the committee about the administrative review and when he testified on May 21, 1992, he stated:

I instructed the team to prepare a report and we met again on May 7, 1990. At that meeting, I determined that I would make a public announcement disclosing the results of the administrative review and my determination not to proceed on any further credit guarantees in connection with sales to Iraq until conclusion of the BNL investigation. Our proposed report and announcement was provided to the U.S. Attorney in Atlanta and to USDA's Office of Inspector General and was circulated within the administration to other interested agencies. The final report was released on May 21, 1990.

All true statements, but thoroughly misleading. I maintain that the reason Mr. Crowder so conveniently failed to address the questions posed and the reason he conspired to mislead the committee is that he was protecting Mr. Yeutter, Mr. Scowcroft, and the State Department from embarrassment related to their obviously political manipulation of the CCC Program for Iraq. In short, he lied to cover up for his superiors.

As I have revealed in previous statements Mr. Crowder repeatedly misled the Congress about the foreign policy nature of the CCC Program for Iraq and about the pressure he was receiving from the State Department. There is more to say about this deception, and I will provide more details as time permits.

CONCLUSION

I must restate the President's recent comments about the CCC program for Iraq. While addressing an agricultural group the President stated:

I think we properly used these (CCC) credits for what they were designed to do, and I think it's been beneficial to American agriculture and I'm going to continue to use them in a way that's beneficial to American agriculture with the national interest of the United States foremost in my mind. So I can't say it's been perfect, but I do think that the Department, and I hope the White House, has done a good job in the implementation of the law and the using of these credits.

Could it be that the President is misinformed about the White House's manipulation of the CCC Program? I doubt it. After all the President's top national security adviser, Brent Scowcroft, was intimately involved in making decisions related to the CCC Program for Iraq.

On Tuesday I showed how Mr. Scowcroft led the charge to deny Iraq-related information to the Congress. It is now becoming increasingly clear that Mr. Scowcroft was the key figure in the manipulation of the CCC Program for Iraq. It is hard to imagine that Mr. Scowcroft did not also have a role in White House calls to the assistant U.S. attorney in Atlanta or the Justice Department's handling of the BNL scandal.

Linking Mr. Scowcroft so firmly to the CCC Program and the BNL scandal raises the question of President Bush's knowledge of Mr. Scowcroft's activities. It is hard to believe that the

President was not aware of his top national security adviser's activities. It is hard to believe that the President was unaware that the CCC Program was being used as a political weapon in violation of the President's own policy.

In my March 16 floor statement I showed that USDA and State Department officials repeatedly lied to the Congress about the use of the CCC Program for Iraq. They came before Congress and said that the CCC Program for Iraq was not used as a foreign policy tool and that the State Department was not pressuring the USDA to go ahead with the program despite concerns of Iraqi wrongdoing. Both the USDA and State Department were aware that they were misleading the public about the CCC Program.

As I mentioned at the outset, the Judiciary Committee announced today that it would recommend to the Attorney General that a special prosecutor be appointed to investigate the high-level Bush administration wrongdoing involving Iraq. I commend Chairman BROOKS and the rest of the committee for having the courage to take such a step.

It has become an all too common practice of the highest level of the Bush administration to lie to the Congress and the American public about its anemic performance in running our Federal Government. The very fabric of our democratic system is torn when people in positions of authority, from the cop on the street to the President of the United States, determine that the best course of action is deception. Regarding Saddam Hussein, President Bush, and his top advisers chose the course of deception instead of owning up to their policy failures.

I think the appointment of an independent counsel is important to remind all those in power that choosing the path of deception will result in investigation, and if warranted, prosecution. Our democratic society needs such checks and balances and the citizens of our Nation deserve the truth—even if it is politically painful.

There is more to say about all this, and I pledge to continue these reports as time allows and circumstances require.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 9, 1992.

HON. WILLIAM P. BARR,
Attorney General, Department of Justice, Washington, DC.

DEAR MR. ATTORNEY GENERAL: Pursuant to the Ethics in Government Act, 28 USC §592(g), we, the undersigned, constituting a majority of the majority Members of the House Committee on the Judiciary, write to formally request that you, as Attorney General, seek appointment of an Independent Counsel to investigate serious allegations of possible violations of Federal criminal statutes by high-ranking officials of the Executive Branch. The potential criminal conduct in question relates to activities by both current and former officials to illegally assist

the regime of Saddam Hussein prior to the August 1990 invasion of Kuwait, and to attempt to conceal information about potential criminal activity from Congress through the making of false statements, the non-production, falsification or alteration of official records and other documents, and through otherwise misleading and obstructing Congress in its investigation of such matters.

As you are well aware, this Committee—as well as at least four other Committees in both the House and Senate—has endeavored to examine the allegations described above through hearings, requests for production of documents, and requests for answers to questions propounded in writing. As a result of these congressional oversight efforts, as well as other information which has now entered the public domain, it appears that there may have been violations by persons in the White House and in various departments of the Executive Branch of government of provisions of the United States Code, including but not limited to: 18 USC §371 (conspiracy to defraud the United States or commit an offense against the United States); 18 USC §1001 (making a false statement); 18 USC §1505 (obstruction of justice); 18 USC §2071 (concealment or falsification of records); 18 USC §1621 (perjury); 18 USC §1341 (mail fraud); 18 USC §1343 (wire fraud); and 18 USC §207 (financial conflict-of-interest by high Executive Branch officials).

Obviously, the Legislative Branch is not constitutionally empowered to either prosecute wrongdoing or adjudicate illegality. For this reason, the enumerated list or potential criminal violations cannot be considered exhaustive, and certainly is not restrictive of the ultimate jurisdictional mandate of an Independent Counsel. Moreover, as the statute provides, the Independent Counsel should be charged with investigating and prosecuting all persons involved in criminal activities under §591(a)-(c). Such persons would include at least all White House and other Executive Branch officials compensated at levels specified in subsection (b) of §591 as well as other officials the investigation of which by the Department would present a conflict of interest within the meaning of subsection (c).

It should be noted that the growing imperative for this request is itself the result of the willful and repeated failure of the Executive Branch to comply with this and other Committees' requests for both documents and witnesses needed to shed light on the lines of inquiry clearly raised by Congressional investigations extending back to 1986. The failure of the Executive Branch to produce witnesses from the White House and National Security Council, the refusal of the Executive Branch to produce numerous requested documents from at least four agencies, and the failure of the Executive Branch to reconcile on-the-record contradictory assertions made by different Executive Branch officials before various Committees, have only reinforced our view that the Judiciary Committee needs to request an Independent Counsel with full subpoena and prosecutorial authority. In this regard, the contradictory Administration testimony is particularly troubling in the areas of the alteration of official records, the "formalized" procedures for screening or rebuffing Congressional requests for information, the possible diversion of government-financed loan proceeds for military purchases, and the apparent misuse of third country arms transfers to Iraq.

Finally, allegations of irregularities in the Department's handling of a host of investiga-

tions touching upon U.S. policy to Iraq must be considered carefully from the standpoint of the Ethics in Government Act. Of most obvious concern is the Department's actions in the Banca Nazionale del Lavoro ("BNL") litigation—including the scope and timing of the indictment finally brought, the circumstances surrounding the appointment and recusal of the U.S. Attorney in the district in which the matter was handled, the possible political interference of high Executive Branch officials with the line attorneys handling the case, the possible delay or withholding of classified information from the Atlanta prosecutors, and the sudden and unexpected plea bargaining arrangement by the Department reached with defendant Paul Drogoul—an arrangement which the presiding Federal district judge severely and publicly criticized as mysterious and unseemly, and in his view, warranting the appointment of an Independent Counsel. Because the ethics in Government Act prudently contains a mechanism by which to avoid a situation where a Departmental investigation might result in a "personal, financial, or political conflict of interest" for the Attorney General or any officer of the Department of Justice (28 USC §591(c)), we concur in this recommendation. And as you are further aware, this subsection would also apply to any possible criminal violation of persons in or outside of government who are not high-level Executive Branch officials as defined in subsection (b).

Despite your understandable and deserved pride in the generally high professional standards of the Department's personnel, both at Main Justice and in the field, the overriding need to reassure the American public that justice has, in fact, been done in the handling of this case would appear to militate strongly against the Department investigating its own handling of this most controversial matter in addition to the other allegations discussed above.

We know of your abiding and sworn commitment to uphold the law of the United States. In the circumstances presented, we sincerely believe that the law as well as the public trust would best be served by the appointment of an Independent Counsel.

Sincerely,

Jack Brooks, Chairman, Charles E. Schumer, Dan Glickman, Patricia Schroeder, Harley O. Staggers, Jr., Edward F. Feighan, Bill Hughes, John Bryant, Peter Hoagland, Craig A. Washington, Don Edwards, Romano L. Mazzoli, Howard L. Berman, George E. Sangmeister, Barney Frank, Mike Synar, John Conyers, Jr., Mel Levine, Jack Reed, Mike Kopetski.

COMMERCE DEPARTMENT NOTES FROM ROSTOW
GANG MEETING

Rostow & Rademaker.
B has gone down that made cuts list.
NSDD 315. NSC will send letter to Fascell.
NSR 17.
Wolf to Cheney 4/17/90.
Scowcroft to Dept. Ag. May 18, 1990.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, DC, June 1, 1990.

Memorandum for the Secretary.
From: Alan Charles Raul, General Counsel.
Subject: End of Week Report.

2. Iraq. I received a further briefing this week from the Department of Justice regarding the Atlanta investigation into the Banca Nazionale del Lavoro and related matters. I briefed the Deputy Secretary on certain new issues in the investigation.

There was an NSC "Deputies Committee" meeting on the Iraq GSM program this week. I thought I should attend that meeting, but the Deputy Secretary determined that Ann Veneman should attend and that I should not. I have not been briefed any on the meeting yet, but I understand that it was decided that no additional guarantees beyond the first \$500 million would be provided to Iraq this year. The decision apparently turned on the various investigations that my office has been monitoring closing. Last night, the NSC's Special Assistant to the President for Asian Affairs, Richard Haass, mentioned to me that there was supposed to be a cable sent to Iraq this week informing them of the decision.

END OF WEEK REPORT, JUNE 1, 1990

THE UNDER SECRETARY OF AGRICULTURE FOR INTERNATIONAL AFFAIRS AND COMMODITY PROGRAMS,
Washington, DC, May 23, 1990.

[Secret]

Memorandum for: The Honorable Brent Scowcroft, Assistant to the President for National Security Affairs.

From: Richard T. Crowder, Under Secretary.
Subject: USDA's Position on Options in NSC/Deputies Committee Review of PCC Paper on Iraq(S).

The options paper properly characterizes the impact of sanctioning Iraq with respect to CCC export credit guarantees. Iraq is an important market for over twenty U.S. agricultural commodities sold under the credit guarantees of the GSM-102 program. However, it cannot be overemphasized that any constraint on CCC credit guarantees must not be based on a foreign policy rationale.

Notwithstanding the above considerations, additional GSM-102 and GSM-103 credit guarantees to Iraq should not be made over and above the \$500 million already authorized in fiscal 1990 until the questions concerning program irregularities with sales to Iraq are cleared up.

USDA wants to sell as many agricultural commodities abroad as possible, including to Iraq, but integrity of the program supersedes the desire to sell at any cost.

IRAQ—TALKING POINTS FOR MAY 29 ORAL BRIEFING FOR NSC MEETING

Meeting has been initiated by NSC staff because they want to prevent the CCC credit program from being cancelled as it would exacerbate the already strained foreign policy relations with Iraq.

Agriculture had planned to put out a press release on May 21 that said the program was being suspended until the investigations into improprieties in the program were completed.

The NSC prevailed on Agriculture to say only that their investigation showed that improprieties may have occurred and remained silent on a suspension.

In fact, there is a suspension in effect. Agriculture has already briefed congress on this prospect, and the press has reported on the investigation.

We believe that further CCC programing for IRAQ should be suspended if USDA believes it is warranted under its own statutes.

The likelihood that Iraq will stop paying on the CCC credits may depend on whether Assad feels that there is the possibility of new credits under the program at a later date.

If Iraq does stop paying there will be a budget cost as USDA starts paying off claims of the banks whose credits were insured.

Iraq may want to reschedule its repayments, but will only do so under a bilateral agreement, while the U.S. will only go through the Paris club.

Source: Treasury Department.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, DC, April 5, 1990.

Memorandum for: Kevin Brosch.

From: Alan Charles Raul, General Counsel.

Subject: Iraq.

Dick Crowder and I met with Under Secretary McCormack on late yesterday afternoon (Wednesday). We advised them of our plans and they more or less concurred, but would ask that we not use the term "suspend" regarding Iraq's GSM program. Instead, we can talk in the press release about the extension of any further guarantees awaiting resolution and additional information regarding the pending questions.

Also, you will be excited to learn that the State Department strongly recommends that we go to Baghdad to ask relevant questions. They believe it will have certain diplomatic benefits, as well as provide better access to the necessary Iraqi officials and documents.

I will be in Seattle on Thursday and Friday, but I would like to be kept apprised of any developments on the Iraq front. I will call in periodically but Kathy will also know how to reach me and how to fax things to me, if necessary.

When the "Qs and As" are done, please get a copy to me somehow.

Thanks.

PRESS RELEASE

APRIL 1, 1990.—Under Secretary Richard T. Crowder announced today that the Department's Fiscal Year 1990 GSM-102 program for Iraq would be suspended after the \$500 million line of export credit guarantees, announced in November, 1989, is exhausted. The GSM-102 program for Iraq had been operating, during each of the two prior fiscal years, at a level of approximately \$1 billion annually.

The Department launched its own administrative review of the Iraq GSM-102 program late last summer after allegations of lending irregularities involving Iraq surfaced in an investigation by the Office of the United States Attorney for the Northern District of Georgia of the Atlanta agency of Banco Nazionale del Lavoro (BNL). The BNL investigation has allegedly uncovered more than \$2 billion dollars in unauthorized loans to Iraq made by the Atlanta branch of BNL. At the time the Atlanta investigation began, approximately \$720 million of that amount were loans to pay for agricultural purchases made under the GSM-102 program.

Various federal agencies, including USDA, have been cooperating with the U.S. Attorney in that investigation which has reportedly involved issues of banking irregularities. In addition, USDA has conducted its own inquiry into past transactions in connection with the Iraq GSM program. That inquiry has raised a number of questions regarding contract pricing, purchasing practices, shipment, requests for additional services and imposition of special taxes and fees. USDA has raised its concerns about these issues with representatives of the Government of Iraq, including Iraq's Ambassador to the United States. USDA expects to work with the Government of Iraq, which has indicated its willingness to cooperate and provide information about these issues.

Under the GSM-102 program, the Commodity Credit Corporation (CCC), a federal corporation within the Department of Agriculture, assists agricultural exporters by providing guarantees which encourage private financing of export sales of agricultural sales for which repayment is made generally over a three year period. There are no direct outlays of funds unless and until there has

been a default in payment. In the case of Iraq, no claims have ever been made on the CCC as a result of guaranteed sales to Iraq. The Iraq GSM program began in 1983, and has expanded since that time. Currently, CCC has outstanding guarantees on approximately \$2.2 billion worth of sales made over the past three years.

Any lending irregularities that may have occurred at BNL do not affect the risk undertaken by the CCC in issuing the guarantees, because the risk undertaken relates to repayment by the foreign purchaser. Under the GSM program, CCC assumes no risk with respect to the bank in the United States financing the sale. Nonetheless, USDA review of the Iraq program has raised a number of questions regarding conduct of the program, and USDA has, therefore, notified Iraq of its intention, at the current time, to suspend the program for FY 1990 at the current \$500 million level.

Source: Department of Agriculture.

COMMITTEE ON BANKING,
FINANCE AND URBAN AFFAIRS,
Washington, DC, April 16, 1992.

Mr. RICHARD T. CROWDER,

Under Secretary, International Affairs and Commodity Programs, Department of Agriculture, Washington, DC.

DEAR MR. CROWDER: The Committee on Banking, Finance and Urban Affairs will hold a hearing on the National Advisory Council on International Monetary and Financial Policy (NAC) and its role in approving the \$1 billion FY 1990 U.S. Department of Agriculture (USDA) Commodity Credit Corporation (CCC) program for Iraq.

The Committee respectfully requests that you testify at this hearing on May 21, 1992, at 9:30 a.m. in Room 2128, Rayburn House Office Building. The Committee would like you to address the following questions in your written testimony:

1. Please explain the USDA's role in the NAC process.
2. How did foreign policy considerations affect the USDA's position related to the consideration of the FY 1990 CCC program for Iraq?
3. How did creditworthiness concerns affect the USDA's position related to the consideration of the FY 1990 CCC program for Iraq?
4. How did Iraq's human rights record affect the USDA's position related to the consideration of the FY 1990 CCC program for Iraq?
5. What influence did the Banca Nazionale del Lavoro (BNL) scandal have on the USDA's position related to the consideration of the \$1 billion FY 1990 CCC program for Iraq?
6. Please explain the National Security Council's (NAC's) role in the USDA's Administrative Review of the BNL scandal.
7. Please explain the White House's and NSC's role in the USDA's decision making process related to the FY 1990 CCC program for Iraq.

Please feel free to submit any further comments that you may have on the above topics. Banking Committee rules require your written testimony be made available to Members of the Committee twenty-four hours in advance of a hearing. Accordingly, please deliver 200 copies of your written testimony to Room 2129 Rayburn House Office Building by 9:30 a.m. May 20, 1992.

Thank you for your time and consideration of this request. The Committee looks forward to your testimony.

With best wishes.

Sincerely,

HENRY B. GONZALEZ,
Chairman.

DEPARTMENT OF STATE,
Washington, DC, April 10, 1990.

Hon. RICHARD DARMAN,
Director, Office of Management and Budget.

DEAR MR. DARMAN: This letter forwards the State Department's views on the Berman bill imposing sanctions on Iraq, as you requested.

The bill imposes open-ended sanctions against Iraq without linking them to any policy objective. Thus it would eliminate any Presidential flexibility in dealing with an important but difficult country, without specifically furthering any U.S. national interests.

The President has made clear concern at the recent Iraqi attempts to smuggle capacitors—with possible use in nuclear weapons—out of the U.S. He has made clear his outrage at the irresponsible threats issued by Iraq's President Saddam Hussein. There have always been significant U.S. concerns about Iraqi behavior, and in fact the U.S. Government has long imposed many of the measures the legislation would mandate. The State Department generally prohibits the sale or transfer of U.S. Munitions List items to Iraq. Fifty chemicals identified as potentially usable in chemical weapons programs are prohibited for export to Iraq. Items on the Commodity Control List deemed likely to aid Iraq's nuclear, missile, or other proliferation programs are denied.

Of the other sanctions envisioned by the bill, we note that Iraq is one of the largest markets for U.S. agricultural exports. The primary objective of our agriculture credit programs with Iraq has been to increase sales of U.S. farm products abroad. This GSM program, which has run about \$1 billion annually in recent years, provides credit guarantees to U.S. exporters of agricultural commodities. It has been the strong and repeated position of the Administration not to use food as an economic weapon of foreign policy through the imposition of embargoes on agricultural exports, or otherwise to place limits on our export programs for political purposes.

The short-term U.S. Export-Import Bank credit insurance is intended to promote the export of U.S. industrial goods. On January 17 President Bush signed a waiver to the FY 89 Foreign Operations Appropriations Act to enable this program to continue on national interest grounds.

Regarding U.S. votes in International Financial Institutions such as the IMF, which seeks to support a stable, market-oriented economy, the United States has traditionally tried to avoid politicization of the IMF, which would undermine the Fund's technical and monetary character. By basing IMF actions on political criteria, the United States would create a precedent others would inevitably try to exploit in ways inimical to U.S. interests. For example, important U.S. allies such as Israel could be subject to similar efforts by other countries. Such politicization would divert the IMF's attention from pressing needs in the international economic system, including debt strategy and restructuring of Eastern Europe. In addition, it is the opinion of the Department of Justice that legislation mandating U.S. votes in International Financial Institutions would be unconstitutional.

The State Department opposes the virtually total economic embargo of Iraq which

would result from this Bill. The President needs flexibility in dealing with Iraq on such important issues as the Arab-Israeli Peace Process, in which Iraq has the capability to play a positive—or negative—role. The Administration maintains an active review of our policy towards Iraq with a view towards assessing how best to further our interests in this thorny bilateral relationship. The Administration's approach to Iraq has been to deal firmly with problems as they arise within the context of broad, many-faceted relations. Imposition of rigid, legislated sanctions will not support vital U.S. interests in the region, and might well undercut important U.S. objectives.

Experience has shown sanctions are most effective when imposed multilaterally. At this point our allies are not contemplating sanctions against Iraq. Any sanctions imposed would therefore be symbolic only, with the costs borne by the United States.

For the above reasons, the State Department opposes the Berman bill.

Sincerely,

JANET G. MULLINS,
Assistant Secretary,
Legislative Affairs.

Madam Speaker, I yield to the gentleman from North Carolina [Mr. ROSE].

Mr. ROSE. Madam Speaker, I thank the gentleman for yielding.

I would like to compliment our friend, the gentleman from Texas [Mr. GONZALEZ] for the great work he has done in this very important area and to tell him how very much I have enjoyed working with him to the end that we have achieved. I know there will be many other opportunities in the future for us to work together on similar projects such as this.

But I want to pay the gentleman from Texas the compliment of saying that because of his chairmanship and his abilities with this very difficult issue, what we worked on, what I worked on, what my committee members worked on many years ago, it has been paid attention. And I want to thank him for putting his reputation and his expertise to work to bring this whole question of aid to Iraq, the CCC's involvement and the documents that he has provided for us which have made many things possible. I will forever be in his debt for this great piece of work that he has done.

Mr. GONZALEZ. I thank the chairman very much. Let the record show clearly that Chairman ROSE has been in the forefront in this matter as the chairman of the Subcommittee on Department Operations, Research, and Foreign Agriculture of the Committee on Agriculture, the subcommittee of pertinent jurisdiction, and has been in fact indispensable in aligning himself with our efforts from the Committee on Banking, Finance and Urban Affairs' standpoint, and I think the record ought to clearly show that.

I also want to say that I have provided with my presentation a copy of the documentation I have referred to, plus a copy of the letter of the Committee on the Judiciary that was sent

today under Chairman BROOKS's signature to the Attorney General.

Madam Speaker, I thank the Speaker for her patience.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HYDE (at the request of Mr. MICHEL), from 4:30 p.m. today, on account of family medical reasons.

Mr. JOHNSON of Texas (at the request of Mr. MICHEL), from 12:30 p.m. today, on account of knee surgery.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GOSS) to revise and extend their remarks and include extraneous material:)

Mr. DOOLITTLE, for 5 minutes, today.

Mr. WALKER, for 5 minutes, today.

Mrs. BENTLEY, for 60 minutes, today.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. TAYLOR of Mississippi, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Mr. MCCLOSKEY, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. PANETTA, for 6 minutes, today.

Ms. PELOSI, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. STENHOLM, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$1,492.

(The following Members (at the request of Mr. GOSS) and to include extraneous matter:)

Mr. DUNCAN.

Mr. WALSH.

Mr. FISH in two instances.

Mr. HORTON in two instances.

Mr. COBLE in two instances.

Mr. BROOMFIELD.

Mr. ROGERS.

Mr. GRADISON.

Mrs. JOHNSON of Connecticut in three instances.

Mr. BILIRAKIS.

Mr. GILMAN.

Mr. COLEMAN of Missouri.

Mr. IRELAND.

Mr. LIGHTFOOT in two instances.

Ms. ROS-LEHTINEN in two instances.

Mr. WELDON.

Mr. VANDER JAGT.

Mr. OXLEY.

Mr. LOWERY of California.
Mr. GREEN of New York.
Mr. GILMAN.
Mr. MCEWEN.
Mr. MCCOLLUM.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter.)

Mr. PASTOR.
Mr. BONIOR.
Mr. STOKES in three instances.
Mr. TRAFICANT.
Mr. STARK.
Mr. NEAL of Massachusetts.
Mr. SWETT.
Mr. SLATTERY.
Mr. MCCLOSKEY.
Ms. SLAUGHTER.
Mr. McMILLEN of Maryland.
Mr. LEVINE of California in two instances.
Mrs. SCHROEDER.
Mr. PANETTA.
Mr. DE LUGO.
Mr. BLACKWELL.
Mr. WEISS.
Mr. SKELTON.
Mrs. KENNELLY.
Mr. KOLTER.

ADJOURNMENT TO TUESDAY, JULY 21, 1992

Mr. ROSE. Madam Speaker, I move that the House do now adjourn.
The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of House Concurrent Resolution 343 of the 102d Congress, the House stands adjourned until 12 noon, Tuesday, July 21, 1992.

Thereupon (at 9 o'clock and 35 minutes p.m.) pursuant to the House Concurrent Resolution 343, the House adjourned until Tuesday, July 21, 1992, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3882. A letter from the Assistant Secretary of Defense (Force Management and Personnel), transmitting the annual review on adequacy of pay and allowances for members of the uniformed services, pursuant to 37 U.S.C. 1008(a), 1009(f); to the Committee on Armed Services.

3883. A letter from the Deputy Counsel, Department of Defense, transmitting a report of individuals who filed DD Form 1787, Report of DOD and Defense Related Employment, for fiscal year 1991, pursuant to 10 U.S.C. 2397(e); to the Committee on Armed Services.

3884. A letter from the Department of Defense, Acting General Counsel, transmitting a draft of proposed legislation "To amend sections 4342(a), and 9342(a) of title 10, United States Code, to clarify the procedures for nominating candidates for admission to the U.S. Military, Naval, and Air Force academies; to the Committee on Armed Services.

3885. A letter from the Assistant Secretary of Defense for Health Affairs, transmitting a

report concerning services to treat post-traumatic stress disorder in its troops since the completion of the Gulf war, pursuant to Public Law 102-25, section 335; to the Committee on Armed Services.

3886. A letter from the Director, Test and Evaluation, Office of the Under Secretary of Defense, transmitting notification for funding to test conventional defense equipment manufactured by major allies of the United States, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

3887. A letter from the Deputy, Office of the Under Secretary of Defense, transmitting a report on both ongoing and proposed projects under the International Cooperative Research and Development Program; to the Committee on Armed Services.

3888. A letter from the President, Thrift Depositor Protection Oversight Board, transmitting the annual report of the Oversight Board for the calendar year 1991, pursuant to Public Law 101-73, section 501(a) (103 Stat. 387); to the Committee on Banking, Finance and Urban Affairs.

3889. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Review of Contracts and Contracting Procedures within the Department of Correction," pursuant to D.C. Code, section 47-117(d); to the Committee on the District of Columbia.

3890. A letter from the Secretary of Education, transmitting a copy of final regulations—Individuals with Disabilities Education Act Amendments of 1991, Public Law 102-119, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3891. A letter from the Secretary, Department of the Treasury, transmitting a copy of the Student Loan Marketing Association annual report which includes financial statements for the year ended December 31, 1991, pursuant to 20 U.S.C. 1087-2(k); to the Committee on Education and Labor.

3892. A letter from the President, National Railroad Passenger Corporation, transmitting a report on the economic feasibility of providing new rail service to areas not presently served as of July 6, 1992, pursuant to Public Law 101-322, section 11 (104 Stat. 298); to the Committee on Energy and Commerce.

3893. A letter from the Secretary of Energy, transmitting a report on enforcement actions and comprehensive status of Exxon and stripper well oil overcharged funds; to the Committee on Energy and Commerce.

3894. A communication from the President of the United States, transmitting a report on developments since his last report of January 10, 1992, concerning the national emergency with respect to Libya, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs and ordered to be printed.

3895. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Stanley Tuemler Escudero, of Florida, to be Ambassador to the Republic of Tajikistan; and of Kent N. Brown, of Virginia, to be Ambassador to the Republic of Georgia, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3896. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Mary C. Pendleton, of Virginia, to be Ambassador to the Republic of Moldova; and of Mack F. Mattingly, of Georgia, to be Ambassador to the Republic of Seychelles, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3897. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting certification that Kazakhstan is committed to the course of action described in the Soviet nuclear risk reduction legislation, pursuant to Public Law 102-229, section 211(b); to the Committee on Foreign Affairs.

3898. A letter from the Assistant Administrator, U.S. Agency for International Development, transmitting a summary of three additional activities proposed for funding in Peru during fiscal year 1992, pursuant to 22 U.S.C. 2151u(e); to the Committee on Foreign Affairs.

3899. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3900. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3901. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3902. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3903. A letter from the Deputy Postmaster General, transmitting notification of the permanent incorporation of expedited appeal procedures for the sender of mail matter which is refused entry on the basis of "incorrect mail preparation, postage due, or addressing," pursuant to Public Law 101-524, 3(3) (104 Stat. 2302); to the Committee on Post Office and Civil Service.

3904. A letter from the Assistant Secretary (Civil Works), Department of the Army, transmitting a report providing the views and recommendations of the Secretary of the Army on a study done by the Army Corps of Engineers of possible stream bank erosion improvements at Connecticut River, Turner Falls to State Line, MA; to the Committee on Public Works and Transportation.

3905. A letter from the Acting Secretary of Commerce, transmitting the 1992 annual update of the national implementation plan for the modernization and associated restructuring of the National Weather Service, pursuant to 15 U.S.C. 313 note; to the Committee on Science, Space, and Technology.

3906. A letter from the Assistant Secretary, Department of Energy, transmitting notification that the report which summarizes the expenditures of funds disbursed from the low-level radioactive waste surcharge escrow account for calendar year 1991 is currently under internal review, pursuant to 42 U.S.C. 2120e(d)(2)(E)(i)(II); jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

3907. A letter from the Comptroller General, transmitting the financial audit of the Resolution Trust Corporation's 1991 and 1990 financial statement (GAO/AFMD-92-74, June 1992); jointly, to the Committee on Government Operations and Banking, Finance and Urban Affairs.

3908. A letter from the Chairman, Physician Payment Review Commission, transmitting a report commenting on the Secretary of Health and Human Services' 1992 report on access to care in the Medicare Program; jointly, to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROE: Committee on Public Works and Transportation. H.R. 5431. A bill to designate the Federal building located at 200 Federal Plaza in Paterson, NJ, as the "Robert A. Roe Federal Building" (Rept. 102-660). Referred to the House Calendar.

Mr. ROE: Committee on Public Works and Transportation. H.R. 5432. A bill to designate the Federal building and U.S. courthouse located at the corner of College Avenue and Mountain Street in Fayetteville, AR, as the "John Paul Hammerschmidt Federal Building and United States Courthouse" (Rept. 102-661). Referred to the House Calendar.

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 1063. A bill to amend the Occupational Safety and Health Act of 1970 to establish an Office of Construction Safety, Health, and Education, to improve inspections, investigations, reporting, and recordkeeping on construction sites, to require the appointment of project constructors to monitor safety on construction sites, to require construction employers to establish safety and health programs, and for other purposes; with an amendment (Rept. 102-662). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 3160. A bill to revise the Occupational Safety and Health Act of 1970; with an amendment (Rept. 102-663, Pt. 1). Ordered to be printed.

Mr. BROWN: Committee on Science, Space, and Technology. H.R. 3953. A bill to establish national electromagnetic fields research and public information dissemination programs, and for other purposes; with amendments (Rept. 102-664, Pt. 1). Ordered to be printed.

Mr. FROST: Committee on Rules. House Resolution 514. Resolution providing for consideration of a joint resolution and a bill relating to most-favored-nation treatment for the People's Republic of China (Report No. 102-665). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. GONZALEZ: Committee on Banking, Finance and Urban Affairs. H.R. 4731. A bill to require the Secretary of the Treasury to conduct a study and report to the Congress regarding the insurance industry in the United States; referred to the Committee on Energy and Commerce for a period ending not later than July 31, 1992, for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(h), rule X. (Rept. 102-666, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BORSKI:

H.R. 5580. A bill to establish an infrastructure reinvestment fund for the purpose of funding intermodal surface transportation programs, and for other purposes; jointly, to the Committees on Ways and Means, Public Works and Transportation, and Government Operations.

By Mr. CHANDLER:

H.R. 5581. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for amounts contributed to an education savings account, and for other purposes; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. COLEMAN of Missouri:

H.R. 5582. A bill to amend the Internal Revenue Code of 1986 to provide incentives for increased economic growth, and for other purposes; to the Committee on Ways and Means.

By Mr. DE LUGO (for himself and Mr. MILLER of California):

H.R. 5583. A bill to provide terms for the future status of the Territory of the Pacific Islands; jointly, to the Committees on Interior and Insular Affairs, Foreign Affairs, and Armed Services.

By Mr. DOOLITTLE (for himself and Mr. LEHMAN of California):

H.R. 5584. A bill to authorize and direct the Secretary of the Army to carry out and construct a project for flood control on the Sacramento and American Rivers, California, and to authorize and direct the Secretary of the Interior and the Secretary of the Army to enter into agreements to allow the State of California or other non-Federal sponsors to construct, without cost to the United States, a multipurpose dam and related facilities at Auburn on the American River; jointly, to the Committees on Public Works and Transportation and Interior and Insular Affairs.

By Mr. FAZIO (for himself, Mr. DELUMS, Ms. PELOSI, and Mr. MILLER of California):

H.R. 5585. A bill to establish U.S. policy relating to wetlands, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. GRADISON:

H.R. 5586. A bill to promote safety and health in workplaces owned, operated, or under contract with the United States by clarifying the United States' obligation to observe occupational safety and health standards and clarifying the United States' responsibility for harm caused by its negligence at any workplace owned by, operated by, or under contract with the United States; to the Committee on the Judiciary.

By Mr. GREEN of New York (for himself, Mr. RICHARDSON, Mr. SCHIFF, and Mr. SKEEN):

H.R. 5587. A bill to establish a program, to be known as the ADEPT Program, for the provision of international assistance in the deployment of energy and energy-related environmental practices and technologies, and for other purposes; jointly, to the Committees on Science, Space, and Technology and Foreign Affairs.

By Mr. HERGER:

H.R. 5588. A bill to provide for the conveyance of lands to certain individuals in Butte County, CA; to the Committee on Interior and Insular Affairs.

By Mr. HOAGLAND:

H.R. 5589. A bill to amend title II of the Social Security Act to increase the retirement test exempt amount, to lower the reduction factor with respect to certain earnings, and to increase the OASDI contribution and benefit base; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 5590. A bill to improve the quality of agency regulations, to increase agency accountability for regulatory actions, and for other purposes; to the Committee on Government Operations.

By Mr. HORTON (for himself, Mr. SHAYS, and Mr. SCHIFF):

H.R. 5591. A bill to provide mandate relief and assistance to State and local governments, and for other purposes; jointly, to the Committees on Government Operations, Rules, and the Judiciary.

By Mrs. JOHNSON of Connecticut (for herself, Mr. LEWIS of California, Mr. FRANKS of Connecticut, Mr. SUNDQUIST, Mr. FISH, Mr. FRANK of Massachusetts, Mr. LIGHTFOOT, Mr. JEFFERSON, Mr. LIPINSKI, Mr. HORTON, Mr. LENT, Mr. KLUG, Mr. BLAZ, Mr. HOCHBRUECKNER, and Mr. BUSTAMANTE):

H.R. 5592. A bill to provide for a demonstration program to test improvements to the financing system for the veterans' health care system; to the Committee on Veterans' Affairs.

By Mr. JONTZ:

H.R. 5593. A bill to provide for the protection of certain benefits of military retirees and their dependents and survivors residing in the vicinity of military bases scheduled for closure, and for other purposes; to the Committee on Armed Services.

By Mr. LEVINE of California:

H.R. 5594. A bill to designate certain lands in the State of California as the Sequoia National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LEWIS of Georgia:

H.R. 5595. A bill to modify the boundary of Martin Luther King, Jr., National Historic Site and Preservation District, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LIGHTFOOT (for himself, Mr. IRELAND, Mr. GINGRICH, Mr. HUNTER, Mr. ROBERTS, Mr. HANCOCK, Mr. LEWIS of Florida, Mr. ALLARD, Mr. FIELDS, Mr. LAGOMARSINO, Mr. DORNAN of California, Mr. LIVINGSTON, Mr. SENSENBRENNER, Mr. ARMEY, and Mr. DELAY):

H.R. 5596. A bill to amend the Internal Revenue Code of 1986 to provide small businesses a credit for the cost of complying with certain Federal regulations; to the Committee on Ways and Means.

By Mr. MACHTLEY:

H.R. 5597. A bill to remove the District of Rhode Island from the U.S. Trustee System until 2002; to the Committee on the Judiciary.

By Mr. MARLENEE:

H.R. 5598. A bill to amend the Internal Revenue Code of 1986 to provide a credit for physicians commencing medical practice in rural areas; to the Committee on Ways and Means.

By Mr. MAZZOLI:

H.R. 5599. A bill to amend title III of the Immigration and Nationality Act to make changes in the laws relating to nationality and naturalization; to the Committee on the Judiciary.

By Mr. DOWNEY (for himself, Mr. PANNETTA, Mr. DE LA GARZA, Mr. TALLON, Mrs. KENNELLY, Mr. McDERMOTT, Mr. ANDREWS of Texas, Mr. HALL of Ohio, and Mr. ESPY):

H.R. 5600. A bill to promote family preservation and the prevention of foster care with emphasis on families where abuse of alcohol or drugs is present, to improve the quality and delivery of child welfare, foster care, and adoption services and to alleviate childhood hunger; jointly, to the Committees on Ways and Means and Agriculture.

By Mr. MAZZOLI:

H.R. 5601. A bill to amend the Immigration and Nationality Act to make changes in the laws relating to immigrants; to the Committee on the Judiciary.

By Mr. McCLOSKEY (for himself, Mr. BENNETT, Mr. ROWLAND, Mr. LEWIS of Georgia, Mr. HUBBARD, Mr. BARNARD, Mr. RAY, and Mr. GORDON):

H.R. 5602. A bill granting the consent of the Congress to the Interstate Rail Passenger Network Compact; to the Committee on the Judiciary.

By Mr. McCOLLUM:

H.R. 5603. A bill to provide additional funding for the Resolution Trust Corporation, to reduce the amount of losses of such Corporation through the establishment of the supervisory goodwill buy-back program, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MCCRERY:

H.R. 5604. A bill to amend title VII of the Civil Rights Act of 1964 to prohibit discrimination based on race, color, religion, sex, disability, national origin, or age in employment in the legislative or judicial branches of the Federal Government; and to establish the Employment Review Board composed of senior Federal judges, which shall have authority to adjudicate claims regarding such discrimination; jointly, to the Committees on Education and Labor House Administration, and the Judiciary.

By Mr. McDERMOTT (for himself, Mr. MILLER of Washington, Mrs. UNSOELD, and Mr. MORRISON):

H.R. 5605. A bill to authorize and direct land ownership consolidation in the Cedar River Watershed, Mt. Baker-Snoqualmie National Forest, WA; jointly, to the Committees on Interior and Insular Affairs and Agriculture.

By Mr. McEWEN:

H.R. 5606. A bill to amend title 23, United States Code, and the Intermodal Surface Transportation Efficiency Act of 1991 to repeal provisions establishing a national maximum speed limit; to the Committee on Public Works and Transportation.

By Mr. McMILLEN of Maryland:

H.R. 5607. A bill to establish a program to provide financial assistance for research relating to oyster diseases; to the Committee on Merchant Marine and Fisheries.

By Mr. McNULTY:

H.R. 5608. A bill to amend the Truth in Savings Act to repeal the maximum amount limitation on certain recoveries for violations of such act; to the Committee on Banking, Finance and Urban Affairs.

By Mr. OWENS of Utah:

H.R. 5609. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish fault-based liability, numerical cleanup standards, and deadlines for remedial action, and to amend the Internal Revenue Code of 1986 to apply the Superfund minimum tax to additional corporations to provide additional revenue to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; jointly, to the Committee on Energy and Commerce, Public Works and Transportation, and Ways and Means.

By Mr. OXLEY (for himself and Mr. McMILLAN of North Carolina):

H.R. 5610. A bill to reduce health costs through uniform claims and electronic bill-

ing; jointly, to the Committees on Ways and Means, Energy and Commerce, and Education and Labor.

By Mr. PANETTA:

H.R. 5611. A bill to direct the Secretary of the Interior to conduct a study on the suitability and feasibility of establishing the California San Antonio Mission as a unit of the National Park System; to the Committee on Interior and Insular Affairs.

By Mr. PEASE:

H.R. 5612. A bill to restrict the use of certain State or local tax incentives; jointly, to the Committees on Banking, Finance and Urban Affairs and Public Works and Transportation.

By Mrs. SCHROEDER (for herself, Mr. LEHMAN of Florida, Ms. NORTON, Mr. MAZZOLI, Mr. MAVROULES, Mr. DELUMS, Mr. OWENS of Utah, Mr. BACHUS, Mr. DE LUGO, Mr. KENNEDY, Mr. JOHNSON of South Dakota, Ms. KAPTUR, and Ms. OAKAR):

H.R. 5613. A bill to amend the Federal Food, Drug, and Cosmetic Act to require ingredient labeling for malt beverages, wine, and distilled spirits, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SLATTERY:

H.R. 5614. A bill to amend title XIX of the Social Security Act to repeal the use of the best price mechanism to determine rebates for covered outpatient drugs under the Medicaid Program, and to require manufacturers of such drugs to enter into discount pricing agreements with the Department of Veterans Affairs in order to receive payment for such drugs under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. STARK:

H.R. 5615. A bill to amend title 18, United States Code, to preserve personal privacy with respect to information contained in prescription drug records; to the Committee on the Judiciary.

By Mr. STOKES:

H.R. 5616. A bill to amend the Internal Revenue Code of 1986 to provide an investment tax credit for increases in investments in American-made equipment, with an additional credit for equipment made by union labor; to the Committee on Ways and Means.

By Mr. STUDDS (for himself and Mr. YOUNG of Alaska):

H.R. 5617. A bill to provide congressional approval of a governing international fishery agreement; to the Committee on Merchant Marine and Fisheries.

By Mr. WELDON (for himself, Mr. HOBSON, Mr. PARKER, Mr. RAVENEL, Mr. LIGHTFOOT, Mr. HORTON, Mr. BLILEY, Mr. SANTORUM, Mr. KASICH, Mr. GEREN of Texas, and Mr. ANDREWS of New Jersey):

H.R. 5618. A bill to amend the Internal Revenue Code of 1986 to assist families by increasing the amount of the personal exemption for certain dependents, increasing the IRA deduction, allowing a credit for first-time homebuyers, allowing a deduction for interest on certain education loans, and for other purposes; to the Committee on Ways and Means.

By Mr. COLEMAN of Missouri:

H.J. Res. 525. Joint resolution proposing an amendment to the Constitution of the United States allowing an item veto in appropriations bills; to the Committee on the Judiciary.

By Mr. HUCKABY:

H.J. Res. 526. Joint resolution proposing an amendment to the Constitution of the United States providing for direct popular election of the President and the Vice President; to the Committee on the Judiciary.

By Mr. LOWERY of California (for himself, Mr. BILIRAKIS, Mr. GINGRICH, and Mr. MORAN):

H.J. Res. 527. Joint resolution to designate the week beginning July 19 and ending July 26, 1992, as "National Invent America Week"; to the Committee on Post Office and Civil Service.

By Mr. PANETTA:

H.J. Res. 528. Joint resolution designating August 7, 1992, as "Battle of Guadalcanal Remembrance Day"; to the Committee on Post Office and Civil Service.

By Mr. PASTOR (for himself and Mr. BRYANT):

H.J. Res. 529. Joint resolution supporting the planting of 500 redwood trees from California in Spain in commemoration of the quincentenary of the voyage of Christopher Columbus and designating the trees as a gift to the people of Spain; to the Committee on Foreign Affairs.

By Mrs. VUCANOVICH (for herself, Mr. CARPER, and Mr. ASPIN):

H.J. Res. 530. Joint resolution designating the week beginning January 3, 1993, as "National Law Enforcement Training Week"; to the Committee on Post Office and Civil Service.

By Mr. SANDERS:

H. Res. 515. Resolution expressing the sense of the House of Representatives regarding the need for the President to seek the Senate's advice and consent to ratification of the United Nations Convention on the Rights of the Child; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Ms. MOLINARI, Mr. GEREN of Texas, Mr. MRAZEK, Mr. FOGLIETTA, Mr. BOEHLERT, Mr. COLEMAN of Texas, Mr. CRAMER, and Mr. MOORHEAD.

H.R. 252: Mr. BERMAN and Mrs. BENTLEY.

H.R. 501: Mr. COYNE, Mr. CHAPMAN, Mr. SCHUMER, Mr. BENNETT, Mr. LEHMAN of Florida, Mr. ENGEL, Mr. MAVROULES, and Mr. SAVAGE.

H.R. 766: Mrs. JOHNSON of Connecticut.

H.R. 840: Mr. KLUG.

H.R. 1311: Mr. BUNNING, Mr. HENRY, Mr. MCCANDLESS, Mr. IRELAND, Mr. HUCKABY, and Mr. THOMAS of Georgia.

H.R. 1312: Mr. BUNNING, Mr. HENRY, Mr. MCCANDLESS, Mr. IRELAND, Mr. HUCKABY, and Mr. THOMAS of Georgia.

H.R. 1495: Mr. ENGLISH.

H.R. 1522: Mr. PASTOR and Mr. DEFazio.

H.R. 1969: Mr. COSTELLO and Mr. GILCHREST.

H.R. 2164: Mr. GEREN of Texas, Mr. HARRIS, Mr. JENKINS, Mr. TAUZIN, Mr. VALENTINE, Mr. CRAMER, Ms. HORN, Mr. ERDREICH, Mr. SHARP, Mr. ENGLISH, Mr. MATSUI, and Mr. MCCURDY.

H.R. 2362: Mr. BILIRAKIS.

H.R. 2797: Mr. TORRES.

H.R. 2840: Mr. COYNE.

H.R. 2872: Mr. LIGHTFOOT.

H.R. 3164: Mr. HUTTO and Mr. SMITH of Texas.

H.R. 3176: Mr. VISCLOSKEY.

H.R. 3198: Mr. HOCHBRUECKNER.

H.R. 3236: Mr. PETERSON of Florida.

H.R. 3360: Mr. VENTO.

H.R. 3373: Mr. DOOLITTLE and Mr. WOLPE.

H.R. 3462: Mr. GEREN of Texas, Mr. MATSUI, Mr. MAVROULES, Mr. SCHUMER, Mr. ATKINS, and Mrs. KENNELLY.

H.R. 3545: Mr. OLIN.

H.R. 3561: Mr. VANDER JAGT and Mr. UPTON.

H.R. 3578: Mr. JOHNSTON of Florida.

H.R. 3627: Mr. WYDEN.

H.R. 4045: Mr. OLVER.
 H.R. 4083: Mr. BRYANT.
 H.R. 4224: Mr. ROHRBACHER, Mr. PAXON, Mr. HEFLEY, Mr. PACKARD, Mr. COX of California, and Mr. SOLOMON.
 H.R. 4299: Mr. PAYNE of New Jersey.
 H.R. 4350: Mr. WEISS.
 H.R. 4399: Mr. MINETA.
 H.R. 4434: Mr. JOHNSON of South Dakota.
 H.R. 4528: Mr. MILLER of California, Mr. JOHNSON of South Dakota, Mr. OWENS of New York, and Mr. ATKINS.
 H.R. 4613: Mr. ALLEN.
 H.R. 4755: Mr. CLINGER and Mr. ERDREICH.
 H.R. 4895: Mr. NEAL of North Carolina, Mr. LANCASTER, Mr. PARKER, and Mr. MAZZOLI.
 H.R. 5010: Ms. NORTON and Mr. FOGLIETTA.
 H.R. 5013: Mr. BEILENSEN.
 H.R. 5020: Mr. SOLARZ, Mr. MEYERS of Indiana, Mr. PETERSON of Minnesota, Mr. LAUGHLIN, and Mr. SKAGGS.
 H.R. 5083: Mr. COLEMAN of Texas, Mr. PETERSON of Minnesota, Mr. DAVIS, Mr. HORTON, Mr. TOWNS, Mr. BLAZ, Mr. ATKINS, Mr. MORRISON, Mr. BUSTAMANTE, Mr. STALLINGS, Mr. PASTOR, Mr. BENNETT, Mr. MINETA, Mr. HAYES of Illinois, Mr. RICHARDSON, Mr. GILMAN, Mr. ABERCROMBIE, Mrs. UNSOELD, Mr. FORD of Michigan, Mr. WILLIAMS, Mr. OWENS of Utah, Mr. SAWYER, Mr. JEFFERSON, Mr. GIBBONS, Mr. ORTIZ, Mr. GEJDENSON, Mr. BLACKWELL, Mr. LEWIS of Georgia, Ms. OAKAR, Mr. SMITH of Florida, Mr. MILLER of California, Mr. PAYNE of New Jersey, and Mr. SERRANO.
 H.R. 5110: Mr. MCCANDLESS and Mr. LEHMAN of California.
 H.R. 5112: Mr. ENGLISH.
 H.R. 5136: Mr. CARDIN.
 H.R. 5170: Mr. ATKINS, Ms. NORTON, and Mr. BLACKWELL.
 H.R. 5230: Mr. BERMAN, Mr. BUSTAMANTE, Mr. DE LUGO, Mr. JEFFERSON, Mr. HUGHES, Mr. NEAL of Massachusetts, Mr. RINALDO, Mr. PASTOR, Mr. TORRES, Ms. KAPTUR, Mr. ATKINS, Mr. LANCASTER, Mr. DICKS, Mr. JOHNSON of South Dakota, and Mr. KOPETSKI.
 H.R. 5231: Mr. BERMAN, Mr. BUSTAMANTE, Mr. DE LUGO, Mr. JEFFERSON, Mr. MOLLOHAN, Mr. HUGHES, Mr. NEAL of Massachusetts, Mr. RINALDO, Mr. PASTOR, Mr. TORRES, Mr. SABO, Ms. KAPTUR, Mr. ATKINS, Mr. LANCASTER, Mr. DICKS, Mr. JOHNSON of South Dakota, and Mr. KOPETSKI.
 H.R. 5299: Mr. FROST, Mr. DE LA GARZA, and Mr. POSHARD.
 H.R. 5317: Mr. SABO.
 H.R. 5318: Mr. LEVIN of Michigan, Mr. MOODY, Mr. BUNNING, Mr. MCGRATH, Mr. BONIOR, Mr. WHEAT, Mr. SERRANO, Mr. WALSH, Ms. SLAUGHTER, Mr. JEFFERSON, Mr. SCHIFF, Mr. POSHARD, Mr. DIXON, Mrs. LLOYD, Mr. BALLENGER, Mr. MCNULTY, Mr. RAVENEL, Mr. SANDERS, Mr. SMITH of New Jersey, Mr. WELDON, Mr. KLUG, Mr. NEAL of Massachusetts, Mr. COX of California, Mr. LEHMAN of California, Mr. RIGGS, Mr. WEISS, Mr. SPRATT, Mr. KOSTMAYER, Mrs. MORELLA, Mr. TRAFICANT, Mr. MARTINEZ, Mr. SOLOMON, Ms. NORTON, Mr. FROST, Mr. WAXMAN, Mr. CARPER, and Mr. ATKINS.
 H.R. 5321: Mr. THOMAS of Wyoming and Mr. MOORHEAD.
 H.R. 5323: Mr. MCCOLLUM and Mr. RITTER.
 H.R. 5326: Mr. BONIOR, Ms. PELOSI, Mr. STARK, Mr. STOKES, Mr. CLAY, Mr. MFUME, Mr. JEFFERSON, Mr. EVANS, Mr. SANDERS, and Mr. TORRES.
 H.R. 5380: Mr. GALLEGLEY, Mr. LEWIS of Florida, Mr. SAXTON, Mr. GOSS, Mr. LAGOMARSINO, Mr. KYL, Mr. ALLEN, and Mr. MOORHEAD.

H.R. 5401: Mr. WELDON.
 H.R. 5419: Mr. ACKERMAN, Mr. SPRATT, Mr. MCDERMOTT, Mr. MCCLOSKEY, Mr. RIGGS, Mr. WELDON, Mr. BACCHUS, Mr. TOWNS, Mr. BEILENSEN, Mrs. PATTERSON, Mr. PETERSON of Minnesota, Mr. GREEN of New York, Mr. HORTON, Mr. KOPETSKI, Mr. HUGHES, Mrs. ROUKEMA, Mr. MRAZEK, Mr. MILLER of Ohio, Mrs. MORELLA, Mr. ANDREWS of Maine, Mr. LEWIS of Florida, Mr. SOLARZ, Mr. TORRES, Mr. CHANDLER, Mr. JEFFERSON, and Mr. BERMAN.
 H.R. 5434: Mr. AUCOIN, Mr. WAXMAN, Mr. RAMSTAD, Mr. MCNULTY, Mr. TOWNS, Mr. STARK, Mr. ACKERMAN, Mr. KOPETSKI, Mr. SAXTON, Mr. CAMPBELL of Colorado, Mr. LEHMAN of California, Mr. HUGHES, and Mr. SHAYS.
 H.R. 5466: Mr. ABERCROMBIE, Mr. JONTZ, and Mr. DAVIS.
 H.R. 5478: Mr. HATCHER, Mr. RIGGS, Mr. MATSUI, Mr. ROE, Mr. BRYANT, Mr. EDWARDS of Texas, and Mr. CHAPMAN.
 H.R. 5498: Mr. BEILENSEN, Mr. LEVINE of California, Mr. WAXMAN, Mr. RANGEL, Mr. VISCLOSKEY, Mr. HUGHES, and Mr. KOSTMAYER.
 H.R. 5500: Mr. FORD of Tennessee and Mr. BUSTAMANTE.
 H.R. 5506: Mr. EVANS.
 H.J. Res. 152: Mr. LIVINGSTON, Mr. HALL of Ohio, and Ms. HORN.
 H.J. Res. 237: Mr. MAVROULES, Mr. VOLKMER, Mr. TANNER, Mr. SARPALIUS, Mr. HOCHBRUECKNER, Mr. FRANKS of Connecticut, Mr. ATKINS, Mr. MCGRATH, Mr. SKELTON, Mr. RAHALL, Mr. MCMLLEN of Maryland, Mr. BILIRAKIS, and Mr. ROSE.
 H.J. Res. 239: Mr. DORGAN of North Dakota.
 H.J. Res. 271: Mr. SABO, Mr. FAWELL, and Mrs. COLLINS of Michigan.
 H.J. Res. 353: Mr. BROWDER, Mr. COUGHLIN, Mr. LEVINE of California, Mr. MCCLOSKEY, Mr. MFUME, Mr. MORAN, Mr. SARPALIUS, Mr. SAXTON, Mr. SKELTON, Mr. SPRATT, Mr. TRAFICANT, and Mr. WOLF.
 H.J. Res. 380: Mr. CARR, Mr. MAZZOLI, Mr. SABO, Mr. HAMILTON, Mr. FORD of Tennessee, Mr. OLVER, Mr. PAYNE of New Jersey, Mr. TALLON, Mr. MCDERMOTT, and Mr. TRAXLER.
 H.J. Res. 399: Mr. MCDERMOTT.
 H.J. Res. 411: Mr. LEACH.
 H.J. Res. 422: Mrs. BENTLEY, Mr. BACCHUS, Mr. ANDERSON, Mr. TAYLOR of Mississippi, Mr. HUTTO, Mr. PERKINS, Mr. BILIRAKIS, Mr. KANJORSKI, and Mr. LANCASTER.
 H.J. Res. 431: Mr. EDWARDS of Oklahoma, Mr. GRADISON, and Mr. LUKEN.
 H.J. Res. 450: Mr. FRANKS of Connecticut, Mr. KASICH, Mr. WALSH, Mr. HUGHES, Mr. ZELIFF, Mr. SKELTON, Mr. KOSTMAYER, Mr. FRANK of Massachusetts, Mr. DIXON, Mrs. MORELLA, Mr. FAZIO, and Mr. ROSE.
 H.J. Res. 453: Mr. WHEAT, Ms. WATERS, Mr. TRAFICANT, Mr. FRANKS of Connecticut, Mr. FORD of Tennessee, and Mr. WASHINGTON.
 H.J. Res. 474: Mrs. LLOYD, Mr. PICKLE, Mr. ROEMER, Mr. KASICH, Ms. HORN, Mr. BROWDER, and Mr. LAFALCE.
 H.J. Res. 478: Mr. PRICE, Mr. MACHTLEY, Mr. TAYLOR of Mississippi, Mr. SANDERS, and Mr. BLACKWELL.
 H.J. Res. 486: Mr. CARPER, Mr. SANDERS, Mr. TRAFICANT, Mr. MARKEY, and Mrs. COLLINS of Michigan.
 H.J. Res. 495: Mr. SPENCE, Mr. LEVIN of Michigan, Mr. GINGRICH, Mrs. BYRON, Mr. LEWIS of Florida, Mr. OXLEY, Mr. ROSE, Mr. SWETT, Mr. DIXON, Mr. MCDERMOTT, and Mr. LAFALCE.
 H.J. Res. 500: Mr. ACKERMAN, Mr. ANNUNZIO, Mr. ATKINS, Mr. AUCOIN, Mr. BEVILL, Mrs. BENTLEY, Mr. BERMAN, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BOEHLERT, Mr. CARPER,

Mr. CLEMENT, Mrs. COLLINS of Illinois, Mr. CONNIT, Mr. CONYERS, Mr. COSTELLO, Mr. COUGHLIN, Mr. COYNE, Mr. CRANE, Mr. DEFazio, Mr. DINGELL, Mr. DOOLITTLE, Mr. EVANS, Mr. FAZIO, Mr. FOGLIETTA, Mr. FRANKS of Connecticut, Mr. GEREN of Texas, Mr. GREEN of New York, Mr. HARRIS, Mr. HOAGLAND, Mr. HUBBARD, Mr. HUGHES, Mr. HYDE, Mr. JEFFERSON, Mr. JONES of North Carolina, Mr. KANJORSKI, Mr. KENNEDY, Mrs. KENNELLY, Mr. LANCASTER, Mr. LEACH, Mr. LEHMAN of Florida, Mr. LENT, Mr. LIVINGSTON, Ms. LONG, Mr. MCCLOSKEY, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mr. MOORHEAD, Mrs. MORELLA, Mr. MURPHY, Mr. MURTHA, Mr. NEAL of North Carolina, Mr. OBERSTAR, Mr. OWENS of New York, Mr. PASTOR, Mrs. PATTERSON, Mr. PAXON, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. POSHARD, Mr. PRICE, Mr. RITTER, Mr. ROYBAL, Mr. SAVAGE, Mr. SAWYER, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. SMITH of Iowa, Mr. SPENCE, Mr. STOKES, Mr. TORRICELLI, Mr. WASHINGTON, and Mr. WAXMAN.

H.J. Res. 503: Mr. ALEXANDER, Mr. ANDERSON, Mr. AUCOIN, Mr. BACCHUS, Mr. BLAZ, Mr. BORSKI, Mr. CLEMENT, Mr. COUGHLIN, Mr. CRAMER, Mr. DE LUGO, Ms. DELAURO, Mr. DIXON, Mr. DONNELLY, Mr. DOOLITTLE, Mr. ECKART, Mr. EDWARDS of Texas, Mr. ENGEL, Mr. EVANS, Mr. FAWELL, Mr. FISH, Mr. GALLEGLEY, Mr. GEREN of Texas, Mr. GILCHREST, Mr. GORDON, Mr. GRANDY, Mr. HAMMERSCHMIDT, Mr. HARRIS, Mr. HERTEL, Ms. HORN, Mr. HUTTO, Mr. JONES of North Carolina, Mr. JONTZ, Mr. KANJORSKI, Mr. KENNEDY, Mr. KILDEE, Mr. LAROCO, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. LIGHTFOOT, Mr. LIVINGSTON, Ms. LONG, Mr. MCCREY, Mr. MCDADE, Mr. MCDERMOTT, Mr. MFUME, Mr. MILLER of Ohio, Ms. MOLINARI, Mr. MOORHEAD, Mr. MURPHY, Mr. NEAL of North Carolina, Ms. NORTON, Mr. ORTIZ, Mr. PRICE, Mr. PURSELL, Mr. RAHALL, Mr. RAVENEL, Mr. REGULA, Mr. RHODES, Mr. RIGGS, Mr. ROE, Mr. ROSE, Mr. SANDERS, Mr. SAVAGE, Mr. SAWYER, Mr. SCHAEFER, Mr. SLATTERY, Mr. SOLARZ, Mr. STALLINGS, Mr. STOKES, Mr. SUNDQUIST, Mr. TALLON, Mr. TANNER, Mr. TAUZIN, Mr. TAYLOR of Mississippi, Mr. TRAFICANT, Mrs. VUCANOVICH, Mr. WAXMAN, Mr. WOLPE, Mr. WYDEN, and Mr. YOUNG of Alaska.

H.J. Res. 523: Mr. DIXON, Mr. TANNER, Mr. SCHAEFER, Mr. MARTIN, Mr. HOBSON, Mr. GEKAS, Mr. CRAMER, Mr. PARKER, Mr. HATCHER, Mr. ROSE, and Mr. PETERSON of Florida.
 H. Con. Res. 246: Mr. LAFALCE, Mr. ROE, and Mr. VISCLOSKEY.

H. Con. Res. 318: Mr. OWENS of Utah.
 H. Con. Res. 335: Mr. HUNTER and Mr. TORRICELLI.

H. Con. Res. 344: Mr. CAMPBELL of Colorado, Mr. MRAZEK, Mr. STARK, Mr. LEHMAN of California, Mr. MCDERMOTT, Mr. POSHARD, Mr. HOCHBRUECKNER, Mr. JOHNSON of South Dakota, and Mr. MAZZOLI.

H. Con. Res. 345: Mr. BOUCHER, Mr. BILBRAY, Mr. FRANK of Massachusetts, Mr. GUARINI, Mr. KOLTER, Mr. MILLER of California, Mr. LAFALCE, Mrs. LLOYD, and Mr. VISCLOSKEY.

H. Res. 465: Mr. ZELIFF.
 H. Res. 490: Mr. RAMSTAD and Mr. PURSELL.

PETITIONS, ETC.

Under clause 1 of rule XXII,

170. The SPEAKER presented a petition of the Board of Selectmen of York, ME, relative to the naval shipyard at Kittery, ME; which was referred to the Committee on Armed Services.